
ENVIRONMENTAL IMPACT REPORT FOR THE DUNSMUIR HEIGHTS PROJECT

FINAL EIR

CITY FILE NO: ER 86-17
SCH NO: 86100708

Prepared for the City of Oakland

by

WAGSTAFF AND ASSOCIATES
Urban and Environmental Planners

September 1991

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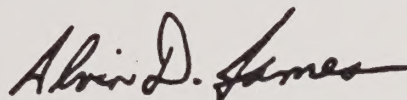
City of Oakland
Oakland, California

FINAL ENVIRONMENTAL IMPACT REPORT FOR:

Dunsmuir Heights
(Project Title)
California Environmental Quality Act

CERTIFICATION OF COMPLIANCE WITH THE
CALIFORNIA ENVIRONMENTAL QUALITY ACT

The Director of City Planning finds that the attached Final Environmental Impact Report has been completed in compliance with the California Environmental Quality Act, the Guidelines prescribed by the Secretary for Resources, and the provisions of the City of Oakland's Statement of Objectives, Criteria and Procedures for Implementation of the California Environmental Quality Act.



ALVIN D. JAMES
Director of City Planning

DATE: September 6, 1991

ACCEPTANCE OF FINAL REPORT BY CITY PLANNING COMMISSION

The attached Final Environmental Impact Report was accepted by the Oakland City Planning Commission at its meeting of DATE.

THOMAS H. DOCTOR, Secretary
City Planning Commission

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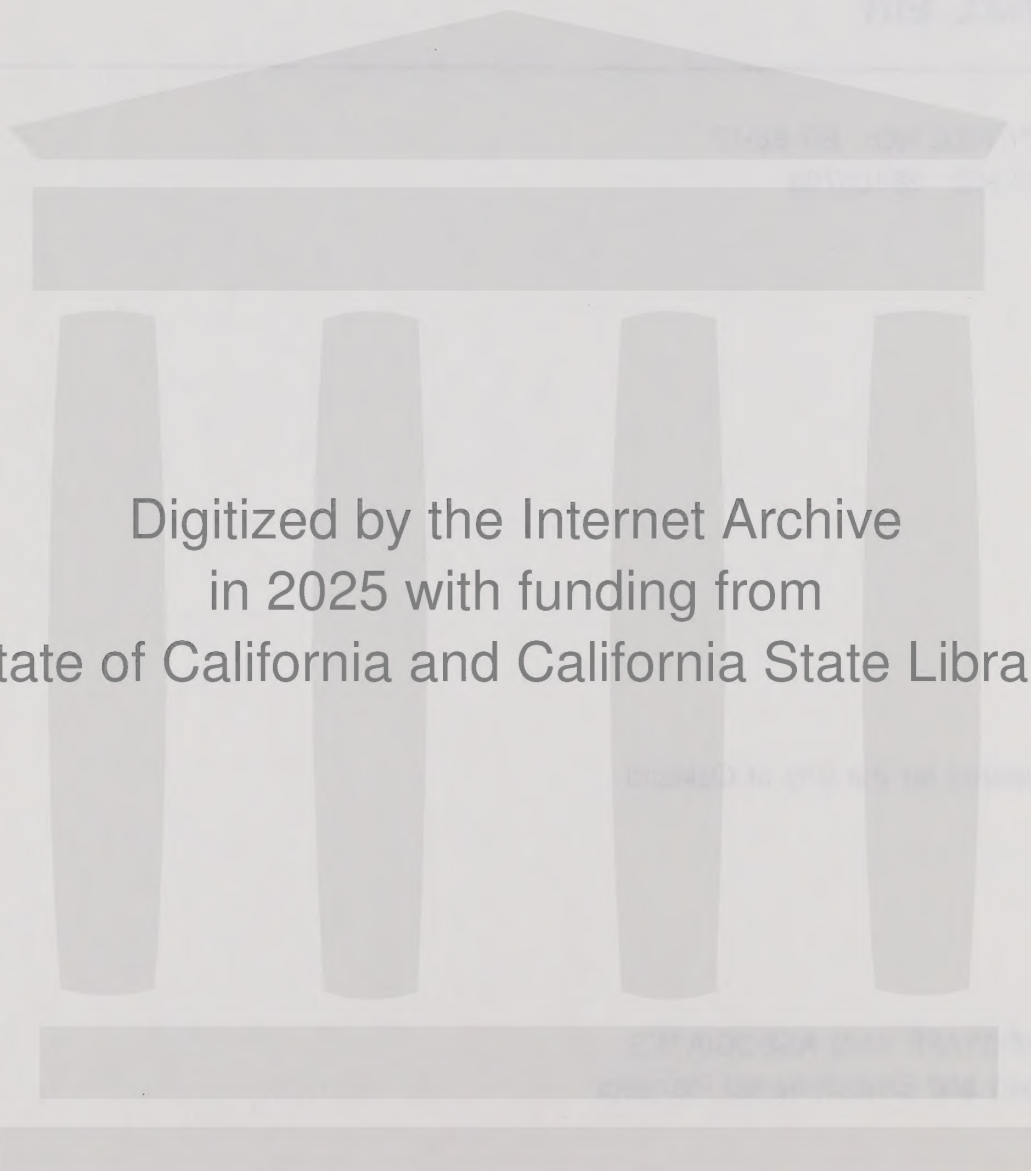
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I. INTRODUCTION

I. INTRODUCTION

A. FINAL EIR FORMAT

The Final Environmental Impact Report for the proposed Dunsmuir Heights project consists of the following:

The January 1991 Revised Draft EIR, which is hereby incorporated by reference as part of this Final EIR;

Revised Draft EIR Text Changes and Errata, which incorporates the final changes and refinements made to the Revised Draft EIR (RDEIR) in response to comments received during the RDEIR public review period;

Responses to Comments on the Revised Draft EIR, which includes written responses to significant environmental points raised in the RDEIR public review period; and

Summary Responses to Comments on the Draft EIR, which explain how this EIR has incorporated all substantive comments received by the City during the public review period for the earlier 1988-1989 Draft EIR on this proposed project.

There are two appendices to the Final EIR:

Appendix A, which includes verbatim copies of all written comments received by the City during the December 31, 1990 to March 5, 1991 public review period for the Revised Draft EIR, and a transcript of the public hearing on the adequacy of the Revised Draft EIR heard by the Oakland City Planning Commission on February 14, 1991; and

Appendix B, which includes verbatim copies of all written comments received by the City during the December 28, 1988 to April 17, 1989 public review period for the previous December 1988 Draft EIR and February 1989 Supplemental Draft EIR, and transcripts of the March 15, 1989 and April 12, 1989 Oakland City Planning Commission public hearings on the adequacy of the 1988-1989 Draft EIR.

Certification of the Final EIR by the City Planning Commission must occur prior to any final action by the City of the proposed project. If the Planning Commission and City Council were to approve the proposed residential development, selected mitigation measures recommended in this EIR could be required as conditions of project approval.

In response to many of the public review period comments on the adequacy of the Revised Draft EIR, revisions have been included in a Text Change and Errata Section of this Final EIR. All such revisions to the Revised Draft EIR are indicated with a bold r in the left margin adjacent to the revised line.

B. FINAL EIR AVAILABILITY FOR PUBLIC REVIEW

The Final EIR and the companion appendices will be made available for public review for a reasonable period of time at the following locations:

- Zoning Counter, City Planning Department, 421 14th Street, First Floor, Oakland (phone: 273-3911);
- Main Branch, Oakland Public Library, 125 14th Street, Oakland (phone: 273-3134);
- Elmhurst Branch, Oakland Public Library, 1427 88th Avenue (at East 14th), Oakland (phone: 632-1500);
- Eastmont Branch, Oakland Public Library, 175 Eastmont Mall, Oakland (phone 568-0503);
- Martin Luther King, Jr. Branch, Oakland Public Library, 6833 East 14th (15 69th Street), Oakland (phone: 632-4861); and
- Brookfield Village Branch, Oakland Public Library, 9600 Edes Avenue (at Tyler Street), Oakland (phone: 562-8282).

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II. TEXT CHANGES AND ERRATA

I. INTRODUCTION

A. PURPOSE AND INTENT

r This environmental impact report (EIR) describes the environmental implications of the Dunsmuir Heights project, a proposed development of a 132-acre hillside site on the southeast edge of the Oakland city boundary east of I-580 into a residential community containing 507 homes of mixed type, including single-family detached custom and production homes (257 units), six-plex townhouse units (186) and eight-plex townhouse units (64). As used in this EIR, the terms "Dunsmuir Heights project" and "project" are defined to mean the proposed Dunsmuir Heights residential development plan, and all local, state and federal approvals, entitlements, and permits that may be required for the development of the proposed residential community.

This EIR has been prepared for the City of Oakland (the Lead Agency)¹ in keeping with state requirements set forth by the California Environmental Quality Act (CEQA). The city intends that this EIR document be a "Project EIR" pursuant to CEQA Guidelines section 15161. The report is intended to inform city decision-makers, other responsible agencies, and the general public of the proposed action and of the environmental consequences of its approval. CEQA Guidelines stipulate that an EIR is intended to serve as a public disclosure document identifying those environmental impacts associated with the proposed project that are expected to be significant, and describing mitigation measures which could minimize or eliminate significant adverse impacts.² These impacts and mitigation needs are discussed to the level of detail necessary to allow reasoned decisions about the project and warranted conditions of project approval. As stipulated by CEQA Guidelines, this report also describes and evaluates a range of reasonable alternatives to the proposed project.

r The discussions in this EIR of impacts, mitigation measures, and alternatives are intended to address all environmental issues to be resolved and all areas of controversy identified by the city in its preliminary environmental review of the project, and by other agencies, organizations, and individuals in response to the city's Notice of Preparation (January

¹CEQA Guidelines define the "Lead Agency" as the public agency that has the principal responsibility for carrying out or approving a project.

²CEQA Section 15149(b).

1987), a subsequent Draft EIR (December 1988) and a supplement to the Draft EIR (February 1989).¹

This EIR is intended to serve as the required environmental documentation for city use in consideration of the proposed development plan, associated Planned Unit Development (PUD) Permit application, General Plan Amendment application, Major Subdivision application, and Development Agreement, as well as any other subsequent city actions and approvals necessary to implement the project. As a result of the information in this EIR, the city may act to approve or deny these various actions and approvals, and to establish any requirements or conditions on project design, construction, and operation that it deems warranted in order to mitigate effects of the project on the environment.

As the Lead Agency, the city also intends that this EIR shall serve as the CEQA-required environmental documentation for consideration of this project by other Responsible Agencies² and Trustee Agencies³ including, but not limited to, the California Department of Fish and Game, the California Department of Transportation, the California Division of Dam Safety, EBMUD, and the City of San Leandro.

On the basis of an agreement between the City of Oakland and Caltrans, this report also includes the necessary environmental documentation for the proposed modifications to the northbound I-580 onramp at Foothill Way which would be completed as part of this project. The ramp modifications would occur concurrently with construction of the Peralta Oaks Drive-Foothill Way extension.

B. EIR BACKGROUND

This document is a "Revised Draft EIR." The following sequence of environmental review has led to the preparation of this document.

1. 1988 Draft Environmental Impact Report and Public Review Period

On December 23, 1988, a Draft Environmental Impact Report (DEIR) for the Dunsmuir Heights project was released by the city for public review. The December 1988 DEIR

¹The city's January 20, 1987 Notice of Preparation is included in Appendix A of this EIR.

²Under CEQA Guidelines, the term "Responsible Agency" includes all public agencies, other than the Lead Agency, which have discretionary approval power over aspects of the project for which the Lead Agency has prepared an EIR.

³Under CEQA Guidelines, the term "Trustee Agency" means a state agency having jurisdiction by law over natural resources affected by the project which are held in trust by the people of California and the California Division of Dam Safety.

addressed the following eight impact categories: land use, visual factors, transportation, geotechnical

factors, drainage, noise, municipal services, and vegetation and wildlife. The December 1988 DEIR also included a section on alternatives to the proposed project, and a section consolidating the various EIR findings regarding project access and possible access alternatives. The city's specified deadline for submitting public comment on the adequacy of the December 1988 DEIR was February 20, 1989 (60 days after DEIR release¹).

2. February 1989 Supplemental Draft EIR and Public Review

On February 28, 1989, a supplement to the December 1988 DEIR was released by the city for public review. This February 1989 Supplement to the Draft EIR (SDEIR) addressed three additional project impact categories: air quality, archaeological resources, and energy. With the issuance of the SDEIR, the deadline for submitting public comment on the adequacy of both the DEIR and the SDEIR was extended by the city to April 17, 1989 (48 days after SDEIR release and 116 days after DEIR release).

A public hearing was conducted to solicit public comment on the adequacy of the DEIR and SDEIR at two special evening meetings of the City Planning Commission held for that purpose: the first on March 15, 1989 at the John Marshall Elementary School (3400 Malcolm Avenue), and the second on April 12, 1989 at the Henry J. Kaiser Convention Center, Calvin Simmons Theater (10th and Fallon Streets).

Verbatim copies of all written comments received by the city during the December 1989 to April 1989 DEIR/SDEIR public review period as well as the DEIR public hearing transcript, are available for inspection at the City Planning Department, 1330 Broadway, Suite 310, Oakland.

3. January 1991 Revised Draft EIR and Public Review

On December 31, 1990, a January 1991 revised draft EIR was released incorporating changes made in response to public comments received on the December 1988 DEIR and February 1989 SDEIR. Because this revised DEIR document contained significant new information, the City of Oakland determined pursuant to CEQA Section 21092.1 that this January 1991 Revised Draft EIR (RDEIR) should supersede the December 1988 DEIR and February 1989 SDEIR, and that a new process of notification and public review should be

¹California Environmental Quality Act statutes and guidelines state that the public review period for a draft EIR that has been submitted to the State Clearinghouse for review should not be less than 45 days or longer than 90 days (CEQA: California Environmental Quality Act Statutes and Guidelines 1986, Chapter 3--Guidelines for Implementation of the California Environmental Quality Act, Section 15105).

r completed for the RDEIR before certifying the Final Environmental Impact Report (FEIR).¹
r The city's specified deadline for submitting public comment on the adequacy of the January
r 1991 RDEIR was originally set for February 25, 1991, and was subsequently extended by
r the city to March 5, 1991 (61 days after RDEIR release).

r ¹Public Resources Code ("CEQA") Section 21092.1 requires that when "significant new
r information" has been added after a Draft EIR has been circulated, but before the Final EIR is
r certified, the process of notice and public review and comment must be repeated for the revised
r DEIR.

- r A public hearing was conducted to solicit public input on the adequacy of the RDEIR at a
r special evening meeting of the City Planning Commission on February 14, 1991 at the
r Henry J. Kaiser Convention Center, Calvin Simmons Theater (10th and Fallon Streets).
- r Verbatim copies of all written comments received by the city during the public review on the
r January 1991 RDEIR, as well as the RDEIR public hearing transcript, are included in
r Volume 3 of the Final EIR. Locations where all three volumes of the Final EIR have been
r made available for public review are listed below.

r C. FINAL EIR AVAILABILITY FOR PUBLIC REVIEW

- r The Final EIR has been made available for public review for a reasonable period of time at
the following locations.

- r
- Zoning Counter, City Planning Department, 421 14th Street, First Floor, Oakland
(phone: 273-3911);
 - Main Branch, Oakland Public Library, 125 14th Street, Oakland (phone: 273-3134);
 - Elmhurst Branch, Oakland Public Library, 1427 88th Avenue (at East 14th), Oakland
(phone: 632-1500);
 - Eastmont Branch, Oakland Public Library, 175 Eastmont Mall, Oakland
(phone: 568-0503);
- r
- Martin Luther King, Jr. Branch, Oakland Public Library, 6833 East 14th (15 69th
Street), Oakland (phone: 632-4861); and
 - Brookfield Village Branch, Oakland Public Library, 9600 Edes Avenue (at Tyler Street),
Oakland (phone: 562-8282).

r D. REPORT ORGANIZATION AND CONTENT

The information in this EIR is generally organized under the headings of significant issues
(land use, visual factors, transportation, geotechnical and grading factors, etc.). The report
describes the following in section IV for each significant issue or impact category:

1. The existing setting;
2. Impacts anticipated with the proposed project;
3. Measures that have been identified to mitigate anticipated significant adverse
impacts; and
4. Project relationships to pertinent adopted local and regional plan policies.

This EIR describes potentially significant adverse project impacts and identifies
corresponding mitigation measures. Where it is determined that certain impacts cannot be

mitigated to a level of insignificance, the EIR identifies that impact as "unavoidable."

r Section VII.B of the EIR, Unavoidable Adverse Effects, includes a summary list of all project impacts identified in this EIR as unavoidable. Impacts that are identified in this EIR as possibly significant, but that are not identified as "unavoidable" (i.e., not listed in section VII.B), have been determined to be capable of mitigation to a point of insignificance by implementation of the associated mitigation measure or measures identified in this EIR.

In addition, this report includes a separate chapter consolidating and repeating information from the various EIR sections with respect to **project access** (impact implications, possible access alternatives, and related mitigation recommendations). The report also includes a section describing and evaluating the various **alternatives to the proposed project**, and a section summarizing the EIR information in terms of various **CEQA-required assessment considerations**, including project growth-inducing effects, unavoidable adverse effects, irreversible environmental changes, and short-term versus long-term environmental productivity considerations.

II. SUMMARY

This EIR chapter provides a summary of the proposed project and its environmental consequences. The chapter includes a summary description of the proposed actions, a summary list of the areas of controversy and issues to be resolved, a summary identification of each significant impact and associated mitigation measures, a summary discussion of anticipated mitigation implementation procedures, and a summary evaluation of project alternatives.

The summary should not be relied upon for a thorough understanding of the details of individual impacts and mitigation measures. Please refer to Chapter IV for a complete description of project impacts and associated mitigation measures.

A. PROPOSED PROJECT

Hayward Exchange, Inc., of Hayward proposes to construct a 507-unit residential project in the south Oakland hills. The project site is located on the southeast edge of the Oakland city boundary, adjacent to the City of San Leandro. The site is east of Interstate 580 (I-580), and is contiguous to the Sheffield Village neighborhood to the west, the Dunsmuir House and Gardens complex and the Chabot Park Highlands neighborhood to the north, the Oakland (Lake Chabot) Municipal Golf Course to the east, and East Bay Municipal Utility District (EBMUD) watershed lands to the southeast. Anthony Chabot Regional Park is located nearby to the east, and San Leandro's Chabot Park and Bay-O-Vista neighborhood are also nearby, to the southeast.

The 132-acre project site consists of hillsides and ridges covered by grasses and scrub brush, with wooded canyons and ravines. The site is situated on the north side of the San Leandro Creek drainage basin.

The Preliminary Development Plan, as shown on Figure 7 herein, indicates development of approximately 66 acres, the upper half of the site, with 507 homes in a clustered mix of housing types including 244 single-family detached production homes, 13 single-family detached custom homes, 186 six-plex townhouse units, and 64 eight-plex townhouse units. The residential development area would also include centrally located common recreation facilities. The remaining approximately 66 acres of the 132-acre site would be reserved as privately owned permanent open space. Of the 66 acres to be retained as open space, approximately 19 acres would be subject to grading modifications and subsequent

r revegetation and the existing natural vegetation would be retained on the remaining 47
r acres.

The gross density of the project would be approximately 3.8 units per acre.

r The 507 units would be served by a private gated loop road system connecting with Foothill Way. A gated, emergency-only roadway connection to Cranford Way would also be provided.

The *Illustrative Future Land Use Map* in the *Land Use Element* of the Oakland Comprehensive Plan (OCP) designates the project site as "Suburban Residential." This land use designation calls for a minimum lot size of 10,000 square feet per unit, or a maximum density of 4.4 units per acre.¹ The majority (98 percent) of the site is currently zoned R-30: One-Family Residential. The R-30 zone allows one unit per 5,000 square feet of land area, or 8.7 units per acre maximum. A small portion (2 percent) of the site is currently zoned R-10: Estate Residential. The R-10 zone allows one unit per 25,000 square feet of land area or 1.7 units per acre maximum.

The applicant proposes to implement the project under the city's Planned Unit Development (PUD) provisions. The project sponsor has applied for a PUD Permit to allow certain lot size, lot configuration, lot frontage, lot access, building setback, and other variations from the city's normal R-30 and R-10 zone requirements, while conforming to the total combined density limitations of the zones. As required under city PUD Permit procedures, the project application has been submitted in the form of a Preliminary Development Plan.

The *1985 Trafficways Map* in the OCP Circulation Element schematically indicates an east-west public collector street in the vicinity of the project site connecting Foothill Way with Golf Links Road to the northeast. A General Plan Amendment has been requested by the applicant to substitute the proposed non-through private loop road for the through public collector called for in the OCP.

The proposed project would also include a number of **offsite actions**, including: (1) connection of Foothill Way with Peralta Oaks Drive to provide a north-south, through collector route as called for in the OCP 1985 Trafficways Map, (2) realignment of the westbound I-580 onramp and closure of the existing Foothill Way link to MacArthur Boulevard, a change that is acceptable to Caltrans District 4 if Foothill Way is extended to Peralta Oaks Drive; (3) closure of the existing Covington Street connection to Foothill Way; (4) reconstruction of the south gate and south service entry to the city's Dunsmuir House and Gardens facility; (5) modification to the municipal storm drain pipe in San Leandro between MacArthur Boulevard and Fortuna Avenue; (6) water main extensions from the adjacent Peralta Reservoir to serve portions of the site below the 500-foot contour, and from the May Reservoir on Skyline Boulevard (approximately 1.3 miles to the northeast) to serve portions of the site above the 500-foot contour; and (7) extension of city sanitary sewer lines along Foothill Way to serve the project.

¹Such OCP land use map designations are intended to be general in nature. Various specific OCP policies may take precedence over the land use map designations.

Under the project sponsor's preliminary development schedule, project construction would occur in five phases over a five- to six-year period. The rough grading necessary for completion of all project phases (roads, building pads, etc.) would occur in Phase 1. Project characteristics are described in more detail in the Project Description (Chapter III) of this EIR.

B. EIR SCOPE: SIGNIFICANT ISSUES, CONCERNS, AND AREAS OF CONTROVERSY

As provided for in CEQA statutes and guidelines, the environmental focus of this project EIR is limited to those areas of controversy known to the city (the Lead Agency), including those issues and concerns identified as potentially significant by the Oakland City Planning Department in its preliminary review of the proposed project, and by other interested agencies and individuals in response to the city's preliminary environmental review and Notice of Preparation¹ and issues added in response to comments received on the Draft EIR (December 1988) and the Supplement to the Draft EIR (February 1989). These areas are listed and described below:

1. **Land Use, Population and Housing** issues and concerns include: (a) project physical compatibility with surrounding existing residential subdivisions and other adjacent and nearby land uses in Oakland and San Leandro; (b) project relationships to and impacts on local and regional open space provisions; (c) project impacts on local population and housing characteristics; and (d) project consistency with adopted local and regional land use and housing policies and regulations.
2. **Visual Factors** include: (a) the visual value of the site's hillsides and ridges as seen from nearby Oakland and San Leandro neighborhoods, the I-580 freeway, and Lake Chabot Regional Park; (b) the visual impact of the proposed PUD layout and grading scheme on these visual values; and (c) project consistency with adopted local and regional visual resource protection policies.
3. **Transportation** issues and concerns include: (a) the impacts of added traffic generated by the 507 project homes on local roadway system operation; (b) project impacts on local vehicular and pedestrian safety; (c) project traffic impacts on local neighborhood environments; (d) the adequacy of proposed hillside access road and non-through loop road system; (e) the adequacy of proposed emergency access provisions; (f) the adequacy of project parking provisions; and (g) project consistency with adopted local and regional transportation policies.

¹A copy of the Notice of Preparation for the Dunsmuir Heights project EIR is included as Appendix A of this EIR.

4. **Geotechnical Factors** include: (a) the possible impacts of the proposed project roadway designs, residential layout, and associated grading aspects in light of existing topographic, slope stability, and seismic conditions; and (b) project consistency with city hillside development and grading policies.
5. **Drainage and Water Quality** issues and concerns include: (a) anticipated increases in the volume and rate of storm water runoff from the site as a result of the project development; (b) the adequacy of the proposed onsite private drainage system and offsite municipal drainage systems (Oakland and San Leandro) to accommodate project drainage changes; (c) the impact of these project drainage changes on adjacent properties below the site; and (d) the effect of the project on San Leandro Creek flow capacity and water quality.
6. **Noise** issues and concerns include: (a) the noise impacts of the project hillside access road on existing nearby homes; (b) project impacts on offsite traffic noise levels along local residential street frontages; and (c) project construction period noise impacts on adjacent and nearby neighborhoods.
7. **Municipal Services and Fiscal Factors** include: (a) project effects on the demand for and adequacy of municipal services in the area, including police services, fire protection, water supply, sewer service, public schools, parks and recreation, and road maintenance; and (b) project impacts on annual municipal costs and revenues.
8. **Vegetation and Wildlife** issues and concerns include: (a) project impacts on the site's woodland, grassland, scrub, and riparian habitat values; (b) associated impacts on wildlife; (c) impacts on possible sensitive, rare, or endangered plant or animal species; and (d) project consistency with adopted local biotic resource protection policies.
9. **Air Quality** issues and concerns include: (a) the effects of the added project homes and associated traffic increases on local and regional air pollutant emission levels; and (b) potential construction period air pollutant emissions.
10. **Archaeology** issues and concerns include possible impacts of the proposed development plan on any onsite historical or archaeological values.
11. **Energy** issues and concerns include any inefficient or unnecessary consumption of energy resulting from the project.

C. SUMMARY OF SIGNIFICANT IMPACTS AND MITIGATIONS

Each significant project impact and associated mitigation measure or measures identified in this EIR is summarized in the SUMMARY OF IMPACTS AND MITIGATIONS chart that follows. The summary chart has been organized to correspond with the more detailed impact and mitigation discussions in Chapter IV of this EIR. The chart is arranged in four

columns: (1) significant adverse environmental impacts, (2) level of impact significance prior to implementation of recommended mitigation measures, (3) recommended impact mitigation measures, (4) entity responsible for implementing the mitigation measure, and (5) level of impact significance after implementation of these mitigation measures.

r In those instances where more than one measure may be required to mitigate an impact to a less-than-significant level, a series of mitigation measures is listed. For a complete description of the environmental setting, impacts, and mitigation measures associated with each particular impact, please refer to Chapter IV.

SUMMARY OF IMPACTS AND MITIGATIONS

Impacts	Potential Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Potential Significance With Mitigation
<i>LAND USE</i>				
<i>Onsite Impacts</i>				
The project would significantly reduce local open space resources. The project would directly eliminate 66 acres of existing open space (50 percent of the site). In addition, the open space value of the remaining undeveloped half of the site would be reduced by project fragmentation (roads, etc.).	S	Mitigation measures to reduce the visual impact of project open space losses are identified in the Visual Factors section of this EIR (IV.B.3), and are summarized on pages 17 through 21 of this summary. Nevertheless, any substantial development of the site would have significant, unavoidable open space impacts.	Project	SU
<i>Local Impacts</i>				
The project-related loss of 66 acres of visually prominent open space would adversely affect the semi-rural character of the local area. The clustered ridgetop development pattern would substantially alter the land use character of an area currently distinguished by a mixture of older single-family lot subdivisions separated by substantial open space areas.	S	The following measures are warranted to fully mitigate these impacts: reduce the boundary of the residential development area and eliminate units above the 550-foot contour in subareas A, B, and C (see Figure 28) to avoid ridge areas of the site that are prominently visible from urban areas of Oakland and San Leandro to the west and southwest and South Lake Chabot areas to the southeast; reduce densities in these three subareas from approximately eight down to six units per development area acre; relocate the six- and	Project	LS

S = Significant
LS = Less than significant
SU = Significant unavoidable impact

Impacts		Potential Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Potential Significance With Mitigation
			eight-unit townhouse structures from the prominent outer development area edges to less visible internal areas; and modify the design of the hillside access road to reduce its visual impacts. These mitigations would reduce the total number of project units to 307. No measure has been identified to achieve a comparable level of mitigation without reducing the proposed number of housing units.		
r r r	The project's North and East residential development subareas (see Figure 10) would be directly adjacent to the Lake Chabot Municipal Golf Course, and would affect the visual quality of hole #16, and could reduce golf course security (i.e., increase vandalism and unauthorized play).	S	Incorporate a solid masonry wall or a barrier design with comparable performance characteristics along the entire length of the shared boundary with the golf course, interrupted by a solid, secured gate at the EBMUD access to the water tank.	Project	LS
<i>Subregional Impacts</i>					
	The project would preclude acquisition of the site or its upper ridges as a permanent extension of the existing subregional open space system in the area.	S	To reduce the degree of this impact, incorporate mitigation measures identified above to reduce project impacts on the semi-rural character of the area, including reducing the size and intensity of the residential development area for visual impact mitigation purposes.	Project	SU

S = Significant
LS = Less than significant
SU = Significant unavoidable impact

Impacts		Potential Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Potential Significance With Mitigation
<i>Cumulative Impacts</i>					
r	Significant cumulative open space losses would result from development of the proposed project, in combination with anticipated future development the San Leandro Rock Quarry and <u>Fairmont Hills Specific Plan</u> areas.	S	Cumulative open space impacts could be reduced through modification of the proposed project, including reduction of the project development area in order to preserve the site's most visually prominent open space features, and through similar limitations on development of the two Fairmont Ridge sites in the San Leandro planning area. These measures would reduce these open space impacts, but not to less than significant levels.	Project, other projects	SU
<i>POPULATION AND HOUSING</i>					
<i>Housing</i>					
	The 507 new project housing units would account for roughly 12 percent of the ABAG-projected Oakland household increase between 1990 and 1995, and would help to meet ABAG-projected housing needs for the Oakland-Alameda corridor.	--	Beneficial effect, no mitigation required.	--	--
<i>Population</i>					
r	The project would account for approximately 1,400 of the city's estimated 2005 population of 360,000.	LS	No mitigation required.	--	LS

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SU = Significant unavoidable impact

Impacts		Potential Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Potential Significance With Mitigation
			peripheral edges. This measure would further reduce the visual impact of the project on urban vantage points to the west and southwest, and would reduce the project size from 507 down to 396 units.		
			<ul style="list-style-type: none"> ▪ (1e) <i>Landscaping Measures.</i> Provide substantial landscape screening, including widespread tree cover, as part of the residential development plan, particularly for subareas A and B. (Please refer to mitigation 1-e in section IV.B.3.b of this EIR for specific landscaping measures.) 	Project	SU
r	The proposed upland residential development in the northern edges of the project would be partially visible above the existing woodland canopy from numerous Chabot Park Highlands viewpoints. The proposed location of higher mass six- and eight-unit townhouse structures along the peripheral edge of the North, Central, and West subareas could be expected to result in significant adverse visual impacts on these neighborhood viewpoints to the northwest.	S	Confine the proposed higher mass six- and eight-unit townhouse structures to locations which are not prominently visible from Chabot Park Highlands viewpoints. Provide substantial landscape screening, including widespread tree cover, in the landscape plan for the northwest periphery of the North, Central, and South subareas. (Please refer to mitigation 1-e in section IV.B.3.b of this EIR for specific landscaping control recommendations.)	Project	SU
	The project upland residential development area as proposed would result in adverse visual impacts on Anthony Chabot Regional Park vantage points to the southeast.	S	Alternative levels of modification to the proposed residential development area, and their relative effectiveness in mitigating project visual impacts on Anthony Chabot Regional		

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Impacts	Potential Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Potential Significance With Mitigation
		above (1a) for impacts on urban vantage points to the west and southwest, the total project yield would be reduced from 507 down to 253 units.		
		<ul style="list-style-type: none"> ■ (2b) <i>Partial Development Area Reduction.</i> Avoid development above the 550-foot contour in subareas B and C. This measure would reduce the project size from 507 down to 366 units. If combined with measure (1b) above, this measure would reduce the total units from 507 down to 340 units. 	Project	SU
		<ul style="list-style-type: none"> ■ (2c) <i>Reduction in Residential Density and Building Mass.</i> As an alternative to total elimination of development in these specified subareas, or confinement below the 550-foot contour, reduce the project density in these subareas, and relocate the higher-mass six- and eight-unit townhouse structures away from the peripheral edges to less visible internal areas. This measure would reduce the project size from 507 units down to 447 units. If combined with measure (1c) above, this measure would reduce the project size from 507 units down to 410 units. 	Project	SU

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Impacts	Potential Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Potential Significance With Mitigation
Excessively brilliant exterior lighting on project streets or individual project lots on the north side of Subarea A could result in significant light and glare impacts on homes along Lochard Street in Chabot Park Highlands. Existing homes along Marlow Drive between Covington Street and Revere Avenue could also be subject to significant nighttime visual distractions from street lighting along the project hillside access road.	S	Use street lighting conservatively in subareas A, B, and C. Limit street lighting in these subareas to low-intensity fixtures with the cone of light focused to avoid illumination of vertical surfaces visible from offsite vantage points. Also include stringent parameters in CC&Rs for each project lot regarding exterior lighting to ensure against nighttime impacts on offsite viewpoints.	Project	LS
All offsite vantage points described in this EIR as subject to significant visual impacts due to the project would also be subject to significant nighttime visual distractions from project street lighting.	S	Same as above.	Project	LS
r The project tennis courts are proposed for a r hilltop location in the Central Subarea. As a r result, evening tennis court lighting hilltop could r represent a significant nighttime visual r distraction for surrounding vantage points r including I-580, Sheffield Village, the r Bancroft/Dutton area, Chabot Park Highlands, r and Lake Chabot; as well as for nearby project r residents.	S	Design and/or locate the tennis court facilities in a manner which prevents direct, unobstructed views of the tennis court lights from exterior viewpoints (i.e., locate the courts out of view, or incorporate structural barriers, berms, and/or depressed construction to shield the lights from view). In addition, install automatic shutoff switches and time clocks to control lighting, and limit the hours of tennis court use after dark.	Project	LS

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Impacts	Potential Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Potential Significance With Mitigation
r r r r r r r r r r		<i>Landscape Design and Maintenance.</i> In addition to the measures listed above, make PUD Permit approval contingent upon preparation for city review of a <u>detailed landscape plan and associated project landscape design standards</u> . Require review of the plan and standards by an independent, qualified landscape architect retained by the city at applicant expense. Also require establishment of a permanent <u>landscape maintenance and replacement program</u> as a condition of PUD Permit approval.		

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Impacts	Potential Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Potential Significance With Mitigation
r Proposed cut slopes with a 1.5:1 gradient may not be sufficiently stable in areas containing highly sheared serpentine rock and weak rhydolite. Gradients of 2:1 may not be stable in areas containing highly weathered bedrock or silty, weak shale.	S	Cut slopes to a minimum of 2:1 except where creation of such a 1.5:1 slope would not affect the stability of developed lots. In areas containing highly sheared rock, roll back the top of cuts to attain gradients of 2:1. Avoid 2:1 cuts in areas containing highly weathered bedrock or weak shale unless specifically addressed by the project geologist.	Project	LS
	S	Cut slopes could fail due to oversaturation of the soil from rain or from landscape irrigation.	Project	LS
	S	Runoff from roof gutters and graded surfaces could cause gullyng and erosion on the cut slopes.	Project	LS
<i>Fill Slope Impacts</i>				
Proposed fill in ravines could fail during an earthquake or a severe rain, creating damage to project access road, utilities, and existing adjacent yard areas.	S	Stabilize all ravine fills with benches excavated into stable bedrock, and require quantitative stability analysis of each fill. Do not permit fill to "toe out" on natural slopes steeper than 3:4 without approval of the engineering geologist.	Project	LS

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Impacts	Potential Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Potential Significance With Mitigation
Fill within ravines could be subject to differential settlement, causing damage to structures, roads, and/or utilities.	S	Over-excavate fill to provide consistent fill depths beneath graded roads, and should have greater compaction at depth. Have qualified geotechnical professionals inspect all ravine fill excavations. Install and monitor survey monuments within the fill to establish the rate of settlement. Delay construction of residences on ravine fills until the final phase of the project.	Project	LS
Failure of proposed retaining walls reinforcing ravine fills could cause significant damage to the project access road and to existing homes on Marlow Drive.	S	Design and construct the retaining walls in compliance with standard engineering practices.	Project	LS
Severe rainfall or overwatering could destabilize cuts and fills proposed atop steep natural slopes. The applicant-proposed mitigation (installation of subdrains) could fail if not properly maintained.	S	Do not direct surface runoff onto graded slopes. Control surface runoff on all graded slopes with either brow ditches or berms at the crest. Maintain subdrains through establishment of a permanent maintenance entity.	Project	LS
Project homes proposed to be located within 10 feet from the top of graded slopes could be subject to slope instability hazards.	S	Provide 10-foot setbacks of project structures from the top of graded slopes as a minimum project requirement. Enforce additional setback distances to further reduce instability hazards in specific areas.	Project	LS

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Impacts	Potential Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Potential Significance With Mitigation
An estimated eight to nine homes located on Cranford Way in Sheffield Village would be exposed to short-term noise impacts from construction of the project emergency access road. The interior noise levels at the closest homes would be expected to intermittently exceed 60 dBA (L _{dn}).	S	In order to reduce the emergency access road temporary construction period noise impacts, implement the following measures: (1) limit noise-generating construction activities to daytime, weekday hours, (2) properly muffle and maintain construction equipment, (3) prohibit unnecessary idling of internal combustion engines, (4) shield stationary noise-generating construction equipment and locate it as far as practical from existing residences, (5) select quiet construction equipment, (6) notify neighbors of the construction schedule, and (7) designate a noise disturbance coordinator to respond to noise complaints.	Project	SU

MUNICIPAL SERVICES

Police Services

The project would generate a demand for approximately three additional Full Time Equivalent (FTE) police personnel, plus related increases in operations and maintenance costs.	S	Implement each of the following mitigation measures to reduce project generated police service impacts to a less than significant level:		LS
		<ul style="list-style-type: none"> ■ Add three staff and grant a proportional increase in the department's operations and maintenance budget over the project buildout period (5+ years) to maintain the 	City	

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Impacts		Potential Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Potential Significance With Mitigation
			city's 1989-1990 FTE ratio of staff to population;		
			<ul style="list-style-type: none"> ■ Provide adequate project street lighting; 	Project	
			<ul style="list-style-type: none"> ■ Submit project hardware specifications (doors, windows, and door frames) for review by the Police Department; 	Project	
			<ul style="list-style-type: none"> ■ Submit unit address specifications to the Police Department; and 	Project	
			<ul style="list-style-type: none"> ■ Provide visible project unit addresses. 	Project	
r	Site access restrictions, primarily the length and steep gradient of Dunsmuir Heights Road, and the lack of a through-access route, would constrain police patrolling of the project and would result in police emergency response times that could substantially exceed five minutes. If the project did not comply with Police Department policy regarding parameters for acceptable vehicle access through the gates at the main access road and emergency-only access, emergency response times would be further delayed.	S	<p>Implement each of the following measures to reduce police patrol and emergency response time impacts to less than significant levels:</p> <ul style="list-style-type: none"> ■ Provide an alternative access route to the northeast side of the project in the form of a through-street or an emergency-only connection; ■ Provide restricted, unimpeded police entry at all access points; and ■ Obtain Police and Fire Department approval of the project access provisions prior to final project approval by the city. 	Project	LS

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Impacts	Potential Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Potential Significance With Mitigation
<p>The response time from the closest operating fire station to the project residential areas (station #26 at 98th Avenue near Stearns Avenue), after completion of the Peralta Oaks Drive-Foothill Way extension would be approximately 5 to 6 minutes. This would exceed the Fire Department's four-minute response time goal. The Fire Department has also expressed concern that if the proposed gate on Dunsmuir Heights Road, the primary access to the site, as well as the locked emergency-only access connection to Cranford Way, did not comply with Fire Department policy regarding acceptable emergency vehicle access provisions, emergency response to the project would be further delayed, exacerbating response time concerns.</p>	S	<p>Implement each of the following three measures to reduce fire emergency access and response time impacts to less than significant levels:</p> <ul style="list-style-type: none"> ■ Provide alternative access to the northeast side of the project in the form of a through-street or emergency-only connection that meets the needs of the Fire and Police Departments in the event of a disruption of access on the west side of the site; ■ Provide restricted, unimpeded Fire Department access to the project at all access points; and ■ Achieve Fire Department approval of the project emergency access provisions prior to final project approval by the city. <p>In addition, implement one of the following measures:</p> <ul style="list-style-type: none"> ■ Reopen and restaff Fire Station No. 17 located on Grass Valley Road above Golf Links Road, and provide an emergency-only or through connection from the site to Golf Links Road; or 	<p>Project</p> <p>Project</p> <p>Project</p> <p>City and Project</p>	LS

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Impacts	Potential Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Potential Significance With Mitigation
		<ul style="list-style-type: none"> Implement each of the following measures: <ul style="list-style-type: none"> (1) install Fire Department-approved automatic residential sprinkler systems and other built-in protections, such as heat/smoke alarms, in all project homes; (2) incorporate fire-resistant building materials and fire-retardant roofing materials in the construction of all units; and (3) install Fire Department-approved, electronically-monitored, fire alarm boxes at key locations throughout the project. <p>The first measure (reopening station #17) may eliminate emergency response time impacts, but may not be economically feasible. With the second measure, incorporation of the recommended fire suppression measures, the response time deficiencies would be offset to less than significant levels.</p>	Project	
The proposed emergency-only access road connection to Cranford Way may not be adequate during emergency situations, due to the circuitous access through Sheffield village, the time required to unlock the gate, and the steep, winding nature of the access road itself.	S	<p>Implement each of the following measures to reduce emergency access impacts to less than significant levels:</p> <ul style="list-style-type: none"> Provide an additional emergency access route to the northeast in the event of a disruption of access on the west side of the site; 	Project	LS

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Impacts	Potential Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Potential Significance With Mitigation
		<ul style="list-style-type: none"> ■ Provide restricted, unimpeded emergency vehicle access to the project at all emergency access points; and ■ Achieve Fire and Police Department approval of the project emergency access provisions prior to final project approval by the city. 		
Since a portion of the project entry road and a portion of the emergency-only access route are both within the Hayward Fault Special Studies Zone, emergency access to the project could be disrupted in the event of a major fault rupture on this segment of the Hayward Fault.	S	The mitigation measures recommended for this impact under <i>Police Services</i> would reduce this impact to a less than significant level.	Project	LS
Use of the emergency access road may be limited over time by inadequate maintenance of the roadway and gate.	S	Prepare and submit a maintenance plan with specified implementation responsibilities to the Fire Department that, to the satisfaction of the department, would ensure regular, periodic maintenance of the access road.	Project	LS
In the event of a fire (or another emergency), residents attempting to leave the site could be constrained by limited means of egress.	S	Equip all primary and emergency-only gates with a Fire Department-approved exit-on-demand device and add a northeast connection to the site as described above.	Project	LS
The proposed placement of fire hydrants on the site may be inadequate.	S	Revise the proposed fire hydrant location plan to incorporate specific recommendations in	Project	LS

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Impacts	Potential Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Potential Significance With Mitigation
		section IV.2.c(3) of this EIR and submitted to the Fire Department for review and approval.		
The proposed project site plan includes a number of internal cul-de-sac streets that are more than 300 feet in length. The Fire Department has expressed concern that these longer cul-de-sacs would limit access to homes for firefighting purposes.	S	Modify the site plan to provide alternative access to the cul-de-sacs as recommended by the city's Fire Protection Engineer. Prepare a map for the Fire Department identifying all cul-de-sacs that are more than 300 feet long and, through the PUD process, work with the Fire Department to formulate a plan which provides for acceptable emergency access to all homes located on these cul-de-sacs. Alternatively, the project could be modified to reduce the cul-de-sac lengths so that they do not exceed 300 feet in length.	Project	LS
<i>Water Service</i>				
The project would require pipeline improvements to extend service from May Reservoir in the Country Club Water Pressure Zone to the site. According to EBMUD, the extension route would be via the existing street system in Chabot Park Highlands or Chabot Park Estates, or along Skyline Boulevard through the Lake Chabot Golf Course. Construction of the extension would be disruptive to the golf course or the residents along the affected street system, depending on which alignment was chosen.	S	Implement the following measures to reduce pipeline construction impacts to a less than significant level: <ul style="list-style-type: none"> ■ If the golf course alignment is chosen, fully restore the golf course fairways, greens and tees to their pre-construction state. ■ Apply EBMUD construction standards to limit water line construction to the hours of 7:30 AM and 4:30 PM. 	Project	LS

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Impacts	Potential Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Potential Significance With Mitigation
		<ul style="list-style-type: none"> ■ To meet the CDFG no-net-loss policy, implement the applicant-prepared <i>wildlife and vegetation mitigation plan</i> that proposes construction of 13 in-stream ponds to retain a minimum of 7,000 square feet of water surface for a period of time during and after rainfalls. The plan also calls for planting of riparian vegetation around the ponds and along other retained drainage features. Seven of the 13 ponds would also serve as stormwater runoff detention basin components of the project drainage plan. (Mitigation measures are identified in section IV.E.3 of this EIR to offset the potential drainage and child safety impacts of the proposed detention basins. Figure 72 in section IV.H.3 of this EIR shows suggested locations for the 13 ponds.) ■ In lieu of offsetting measures, redesign the project to <u>avoid</u> impacts on creek segments, particularly within woodland areas wherever possible. There is an area of proposed fill identified in this EIR where proposed streambed filling can be largely or entirely avoided by moving or eliminating eight units and moving the loop road to a 		

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Impacts	Potential Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Potential Significance With Mitigation
		slightly higher location. Make this measure a condition of project approval.		
		<ul style="list-style-type: none"> Minimize undergrounding (culverting) of creekways and drainage ravines. Whenever possible, divert rerouted drainage into artificially created surface channels with relatively low gradients, and align these channels adjacent to permanent open space areas wherever possible. 		
<i>Impacts on Wildlife</i>				
Project-related vegetative clearing, grading, road construction, and home construction would result in <i>general declines in wildlife use of the site</i> . The extension of urban development into approximately 66 acres of the site's existing 132 acres of relatively natural, undeveloped habitat would contribute substantially to regional declines in natural habitats and associated wildlife activity, and would represent a significant local and regional wildlife impact.	S	<p>In addition to all of the measures recommended above to reduce and offset project habitat impacts, the following measures are identified to mitigate these general wildlife habitat declines:</p> <ul style="list-style-type: none"> Implement the project applicant's proposed mitigation plan, prepared in consultation with CDFG, that suggests introduction of 24-inch and 54-inch <i>wildlife undercrossings</i> at six onsite locations (shown on Figure 72). Provide <i>residential fencing</i> along the backs of those project lots which are contiguous to substantial open space areas to control 	Project	SU

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Impacts	Potential Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Potential Significance With Mitigation
		unavoidable adverse impact that could not be fully mitigated.		
<i>Construction Period Air Quality Impacts</i>				
Project construction would result in the emission of particulates that would primarily affect nearby residences and golf course activities located east of project construction activities.	S	Implement the following particulate control actions during project construction: (1) sprinkle all exposed portions of the site with water twice daily; (2) schedule major dust-generating activities for the early morning and other hours when wind velocities are low; and (3) cover dust-emitting storage piles (fill, refuse, etc.).	Project	LS
<i>ARCHAEOLOGY</i>				
Based on an archaeological records search and field reconnaissance, it is expected that the project could be developed without significant archaeological impacts. However, it is possible that additional sites, artifacts, or features could be discovered during project construction, resulting in adverse impacts.	S	<p>If archaeological or cultural resources are discovered during construction, halt work in the immediate vicinity and retain a qualified archaeologist to evaluate the finds and determine appropriate mitigations.</p> <p>If disturbance of an archaeological or cultural resource cannot be avoided, implement a mitigation program consistent with Appendix K of the CEQA Guidelines.</p>	Project	LS

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D. PROJECT RELATIONSHIP TO ADOPTED LOCAL AND REGIONAL PLANS

Various impact sections of this EIR (Land Use, Population, and Housing; Visual Factors; Transportation; etc.) include discussions of the relationship between the proposed project and pertinent policies from adopted local and regional plans, including the city's Oakland Comprehensive Plan (OCP), and Peralta Oaks Area Plan, and the Association of Bay Area Governments' San Francisco Bay Area Regional Plan and latest San Francisco Bay Area Housing Needs Determinations report. These discussions are summarized below. The summary is based on an unmitigated project. The full text of the EIR explains, under each of the subject headings (e.g., Land Use, Population, and Housing; Visual Factors; Transportation; etc.), how the project could be made consistent with most of these policies through implementation of the mitigation measures identified in this EIR.

1. Oakland Comprehensive Plan

Proposed project land use and density characteristics conform to the OCP Suburban Residential land use parameters for the site (see page II--2). The proposed development would contain 507 dwelling units for an overall project density of approximately 3.8 units per acre, assuming a private road system; i.e., below the OCP density limitation of 4.4 units per acre.¹

The OCP Oakland Policy Plan includes a *1985 Trafficways Map* that shows two future through-connections for collector streets in the project vicinity--a north-south connection between Foothill Way and Peralta Oaks Drive, and an east-west connection between Foothill Way and Golf Links Road. The *1985 Trafficways Map* shows the Foothill Way-Peralta Oaks Drive connection adjacent to the western tip of the project site, and the Foothill Way-Golf Links road connection traversing the project site.

The proposed project includes implementation of the OCP-designated Foothill-Way-to-Peralta-Oaks-Drive north-south connector, but does not include the east-west Foothill-Way-to-Golf-Links-Road connector. Instead, the proposed project plan calls for a private, non-through project access road off Foothill Way. Therefore, a **General Plan Amendment**

¹Under city density computation parameters, dedicated public roads are excluded from the computation, while private roads are not excluded. The 3.8 unit per acre net density figure is based on the assumption that the proposed private access drive would be allowed through a General Plan Amendment, and therefore the 20.5 acres devoted to the private street system are not excluded from the density computation. The city's *1985 Trafficways Map* shows a city collector street traversing the site; therefore, a General Plan Amendment would be needed to allow for a private street. Alternatively, if the project access road, including the principal loop system, is adopted as a public street, then the area of this public street system would be deducted from the net density computation, and the project density would be 4.4 units per acre; i.e., at the allowable maximum. If all of the streets in the project (access road, loop system, and neighborhood) were public, the density would be 4.5 units per acre, which would exceed the General Plan Designation of 4.4 units per acre.

b. OCP Policies That the Project Does Not Promote. The project as currently proposed would not promote the OCP policies listed below:

- Where large-scale residential development occurs on previously open land, the developer should contribute at least 2.5 acres (or the equivalent cost thereof) for public park or recreational use for every 1,000 residents.
- The city in conjunction with other governmental agencies, when feasible, should utilize lands subject to severe seismic and geologic hazards for low intensity park and recreational activities or open space. (Oakland Policy Plan, p. J-2)
- Recreational bikeways and pedestrianways should, wherever feasible, provide direct, safe access to parks and recreation areas, schools and colleges, mass transit collection points, and other public assembly centers and points of interest. (Oakland Policy Plan, p. L-4)

c. OCP Policies with Which the Project Is Consistent or that the Project Promotes. The project as currently proposed would be consistent with or would promote the OCP policies listed below:

- The city supports the production and conservation of sufficient numbers of assisted and market-rate housing units to meet the needs of Oakland's large families (*Housing Element*, p. 79)
- The city encourages appropriate mixtures of different dwelling types within planned unit developments in the hills. (Oakland Policy Plan, p. H-8)
- Wherever practicable, landscaping should include use of native plant species. (Oakland Policy Plan, p. J-6)
- Extensive tree planting programs should take place in most residential and commercial areas. (Oakland Policy Plan, p. J-6)
- "Collector streets" should serve traffic movement between arterial and local streets, and should also provide direct access to abutting properties. They should be so designed that they do not attract large volumes of through traffic. (Oakland Policy Plan, p. L-2)
- Panoramic vistas and interesting views now available to the motorist should not be obliterated by new structures. (Oakland Policy Plan, p. M-2)

There are a few OCP policies mentioned in individual sections of this EIR for informational purposes but that have no bearing on project consistency with the OCP. The following policy is one such example:

- The city will continue the Fire Department's fire prevention program, including the inspection of existing buildings and the review of proposed development to ensure maximum safety from potential fire hazards (Oakland Policy Plan, p. K-2).

2. City of Oakland Zoning and Planned Unit Development Regulations

Approximately 98 percent of the 132-acre site is zoned R-30 (maximum allowable density of 8.7 units per acre) and the remaining 2 percent is zoned R-10 (maximum allowable density of 1.7 units per acre). The project would be consistent with R-30 zoning requirements and inconsistent with R-10 zoning requirements. However, the project applicant proposes to implement the project under the city's Planned Unit Development Procedure, which allows for shifting and clustering of units between zones on a site as long as the overall total does not exceed that allowed in both zones combined.

The OCP encourages planned unit developments in Oakland's hill areas. The stated purpose of the city's Planned Unit Development Procedure is "to encourage those [developments that] are appropriately designed and located." City ordinance provisions stipulate that a PUD Permit may be granted only if the project conforms with a specific list of criteria, including (1) consistency with the OCP, (2) integration into its surroundings, and (3) visual harmony with surrounding land uses. The project would not meet these criteria. However, mitigation measures to achieve project consistency with the city PUD Permit approval criteria are identified in the various impact categories of this EIR.

3. Peralta Oaks Area Plan

The project would be consistent with the City of Oakland Peralta Oaks Plan.

4. Association of Bay Area Governments Policies

The project would add 507 units of housing affordable to above-moderate-income households to the Oakland and Alameda County housing stock, an action that would aid in meeting related housing needs identified by ABAG.

- r In order to achieve project consistency with ABAG "infill" policies, it would be necessary to implement measures identified in the Transportation and Municipal Services sections of this EIR (IV.C.3 and IV.G) to mitigate project-related public service inadequacies (road system constraints, school deficiencies, and substandard emergency response times).
- r In order to achieve project consistency with ABAG policies calling for preservation of community values and avoidance of environmental hazards, the mitigations identified in the Visual Factors (IV.B.3) and Geotechnical and Grading Factors (IV.D.3) sections of this EIR to reduce or eliminate significant visual and geotechnical impacts would have to be implemented.

5. Metropolitan Transportation Commission (MTC) Policies

The project would be inconsistent with the MTC policies calling for more efficient use of existing public transportation facilities and for giving more priority to pedestrian and bicycle modes of transportation. Measures recommended in the Transportation section of this EIR (IV.C.4) to improve transit and bicycle choices for project residents would be necessary to achieve project consistency with these MTC policies.

E. SUMMARY OF ALTERNATIVES

Chapter VI of this EIR contains an analysis of several alternatives to the proposed project including the following:

Alternative A: No Project. The CEQA-required "no project alternative," where the project site would be left in its current undeveloped state. There are two versions of the no project alternative including (1) maintenance of the status quo (the site would remain undeveloped, private open space with no change in the zoning) and (2) acquisition of the site for permanent open space, perhaps with Measure K funds.

Alternative B: Site Plan Similar to Project, But with Through Access--507 Units. A residential development plan similar to the project, but with the addition of a through collector road connection to Golf Links Road (as called for on the *OCP 1985 Trafficways Map*) via a "north edge" alignment through the golf course.

Alternative C: Revised Site Plan Similar to Project, But with Through Access, Redesigned Hillside Access Road, and Other Mitigations--507 Units. A residential development plan similar to the project, but with the addition of: (a) a collector road connection to Golf Links Road via a "horseshoe" alignment through the golf course (i.e., a more feasible alignment than the "north edge" alignment described for Alternative B); (b) a single-road-with-crib-walls hillside access road to reduce roadway gradient, grading, biotic, and visual impacts; and (c) other biotic impact mitigation measures identified in this EIR.

Alternative D: Revised Site Plan with Partially Reduced Residential Area, Through Access, Redesigned Hillside Access Road, and Other Mitigations--307 to 340 Units. A residential layout incorporating: (a) a "partial" development area reduction measures to reduce (but not eliminate) residential area visual impacts on views from urban areas to the west and southwest and on Lake Chabot area views from the southeast; (b) the "horseshoe" collector road connection alignment through the golf course to Golf Links Road; (c) the single-road-with-crib-walls hillside access road design; and (d) other biotic impact mitigation measures.

Alternative E: Revised Site Plan with Substantially Reduced Residential Area, Through Access, and an Alternative Hillside Access Road Redesign--275 Units. A layout incorporating: (a) a slightly greater development area reduction than in Alternative D, to

further reduce residential area visual impacts on views from urban areas to the west and southwest, and from Lake Chabot vantage points to the southeast; (b) a more direct "uphill" access road alignment to reduce roadway grading, biotic, and visual impacts; (c) a through

collector road connection along the "north edge" of the golf course to Golf Links Road; and (d) other biotic impact mitigation measures.

Alternative F: Revised Site Plan with Substantially Reduced Residential Area, Through Access, Redesigned Hillside Access Road and Other Mitigations--253 Units. A residential layout incorporating: (a) a "substantial" development area reduction to eliminate residential area visual impacts on urban areas to the west and southwest and on Lake Chabot vantage points to the southeast; (b) the "horseshoe" collector road connection alignment through the golf course to Golf Links Road; (c) the single-road-with-crib-walls hillside access road design; and (d) other biotic impact mitigation measures.

Alternative G: Revised Site Plan with Substantially Reduced Residential Area, Single-Family Detached Housing Types Only, Through Access, Redesigned Hillside Access Road and Other Mitigations--175 Units. A residential layout with the same development area outline and other mitigations incorporated in Alternative F, but with a limitation on home types to single-family detached only.

Alternative H: Alternative Sites. A residential development similar to the proposed project, but at an alternative location elsewhere in the South Oakland/San Leandro subregion. Alternative sites considered include: (1) the San Leandro Rock Quarry on Lake Chabot Road in San Leandro, (2) the Fairmont Hills Specific Plan area on Fairmont Drive in the San Leandro planning area, (3) the Roberts Landing site in San Leandro, and (4) the Marina High School site in San Leandro.

In response to CEQA guidelines suggesting identification of the "environmentally superior" alternative,¹ the environmental ranking of those alternatives identified above that might meet the basic project objectives is summarized below. Alternatives that have been determined to be infeasible or not to meet the basic project objectives are not included in the ranking. *Only environmental factors were considered in this ranking. Other considerations, such as local and regional housing needs, economic viability, and property-owner intentions, were not considered.*

Highest Environmental Ranking
(Most environmentally desirable)

Alternative G: Substantially reduced residential area with single-family-detached housing types only, through access, redesigned hillside access road, and other mitigation measures--175 units.

Alternative F: Substantially reduced residential area with through access,

¹1986 CEQA: California Environmental Quality Act--Statutes and Guidelines, Section 15126(d).

redesigned hillside access road, and other mitigation measures--253 units.

Alternative D: Partially reduced residential area with through access, redesigned hillside access road, and other mitigation measures--307 to 340 units.

Alternative H-1: Quarry site. Development of a 134-unit residential project as currently proposed for this site. (Availability dependent upon the outcome of the pending development proposal for this site.)

Alternative H-2: A 407-unit hillside residential project consistent with the development policies and standards of the Fairmont Hills Specific Plan. (The FHSP has not been officially adopted. The availability of this site would be dependent upon outcome of a pending purchase of the site for open space.)

Alternative C: Site plan similar to the project, but with through access, redesigned hillside access road, and other mitigation measures--507 units.

Project as Proposed: Development of a 507-unit hillside residential project with a private, non-through loop road.

Alternative H-3: Development of a 750-unit single-family detached residential project on the 450-acre Roberts Landing site in San Leandro.

Lowest Environmental Ranking
(Least environmentally desirable)

The following alternatives were identified as either infeasible or impractical and, as a result, were eliminated from further consideration:

Alternative B: The "north edge" roadway alignment through the golf course.

Alternative E: The "north edge" roadway alignment through the golf course and the more direct "uphill" access road alignment.

III. PROJECT DESCRIPTION



Figure 1
REGIONAL AND LOCAL SETTING

Dunsmuir Heights Oakland, California

III. PROJECT DESCRIPTION

A. SETTING

1. Regional Location

The project's regional location is illustrated on Figure 1. The project is located near the southeastern boundary of the City of Oakland in northwestern Alameda County. The City of San Leandro is immediately to the south and west. The I-580/MacArthur Boulevard/Dutton Avenue/Foothill Way interchange provides primary regional access (north/south) to the site and vicinity. Secondary regional access is provided by Interstate 880 (the Nimitz Freeway) via east/west interconnections with 98th Avenue and Estudillo Avenue-Davis Street.

2. Local Setting

a. Local Geography. As shown on Figure 2, the Dunsmuir Heights project site is located within the Oakland city limits near the southeastern edge of the city, east of I-580. Figure 2 illustrates the relationship of the site boundaries to the Oakland/San Leandro city boundary, to surrounding urban and open space areas, and to the local street system. Figure 3, an aerial photograph of the site vicinity, also shows the relationship of the project site to existing development patterns in the area, including the configuration of nearby residential neighborhoods and open space areas in Oakland and San Leandro.

As shown on Figure 2, the project site is adjacent to and northeast of the existing Sheffield Village neighborhood of Oakland. North of the site is the existing Chabot Park Highlands neighborhood of Oakland. The Oakland (Lake Chabot) Municipal Golf Course is adjacent to the site's northeast boundary. Watershed lands of the East Bay Municipal Utility District (EBMUD) are adjacent to the site's southeast boundary. The city's Dunsmuir House and Gardens complex is immediately northwest of the site. The EBMUD Dunsmuir Reservoir is also nearby, between Dunsmuir House and I-580.

Sheffield Village separates the project site from the northeast boundary of the City of San Leandro and from San Leandro's Bay-O-Vista neighborhood to the south. The Bancroft Avenue/Dutton Avenue area of San Leandro lies west of the project on the opposite side of I-580.

As shown on Figure 2, Dutton Avenue and Marlow Drive provide the major collector street system serving the immediate project vicinity; the Dutton-Marlow route crosses under I-580 in an east-west direction. Dutton-Marlow provides access between Sheffield Village

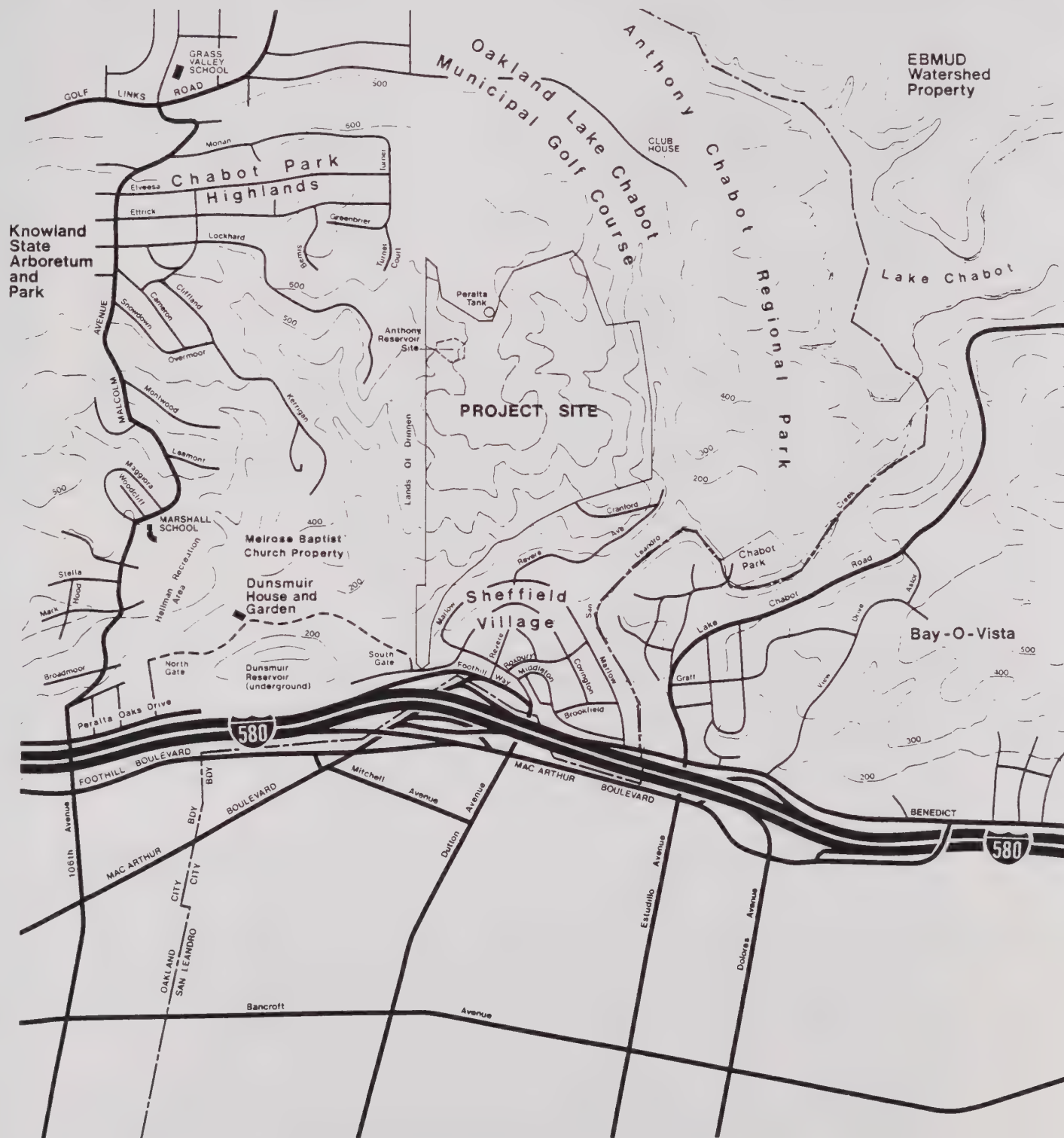


Figure 2
**PROJECT SITE
 AND VICINITY**

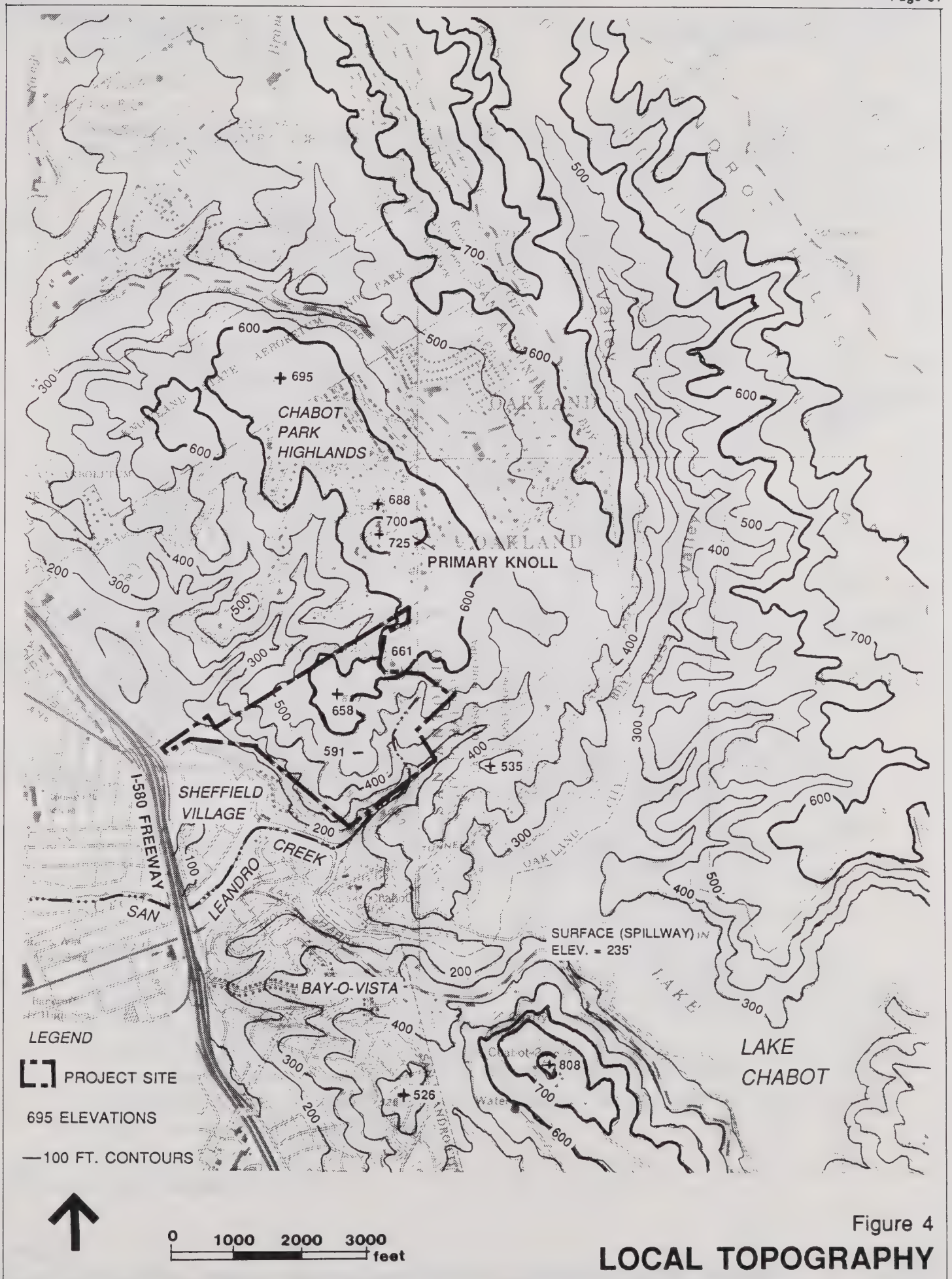
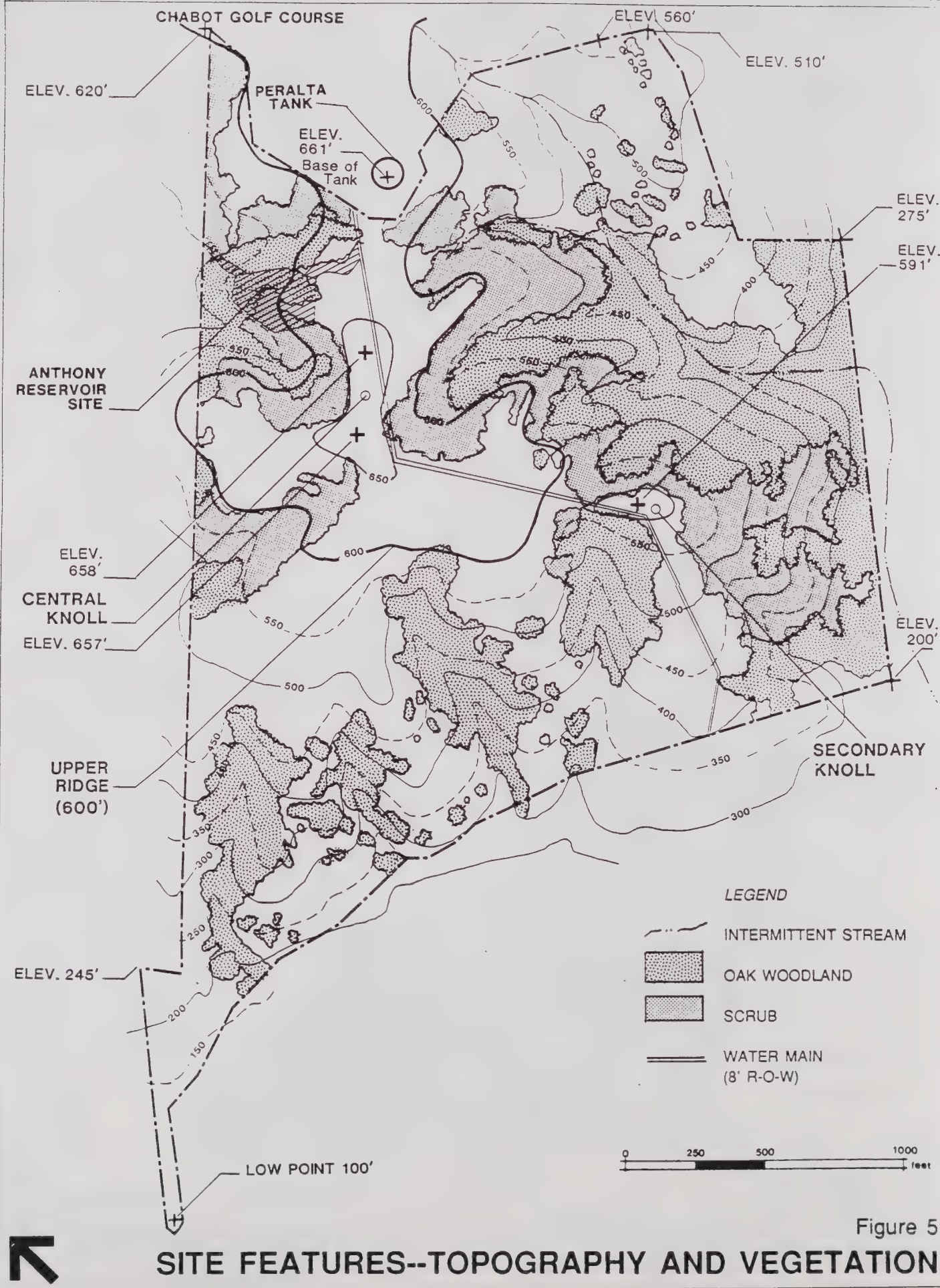


Figure 4
LOCAL TOPOGRAPHY



(a) Entry Subarea. This development subarea includes the proposed grade-separated inbound and outbound project access roads and some of the steepest slopes of the project site. The proposed dual access road design and grading characteristics are described later in this EIR chapter. No residential units are proposed within this subarea. As discussed in the Geotechnical and Grading Factors section of this EIR (section IV.D), a portion of this subarea is within the state-designated Hayward Fault Alquist-Priolo Special Studies Zone and could be subject to fault displacement. Cut-and-fill slopes above and below the dual access road would be landscaped.

(b) West Subarea. This subarea also has steep terrain, which slopes down from the central knoll towards the west and southwest and, consequently, would be particularly visible from existing neighborhoods and driving routes to the west and southwest. The clustering of residential units here is intended by the project architect to minimize their visual and slope stability impacts.

Table 3 indicates that a total of 69 units are proposed for construction in this West Subarea, including 27 detached single-family homes, three six-unit townhouse structures, and three eight-unit townhouse structures.

(c) South Subarea. The South Subarea encompasses the smaller, secondary knoll extending southward from the central knoll area of the site (compare Figures 5 and 10). Similar to the West Subarea, much of this South Subarea has steep terrain which slopes down from the secondary knoll towards the west and southwest, and consequently would be particularly visible from viewpoints to the west and south. Further, residential units in this portion of the site would be the closest project units to the existing Sheffield Village neighborhood. The design and placement of residential units here are intended by the project architect to minimize their visual and slope stability impacts.

Table 3 indicates that a total of 60 units would be constructed in the South Subarea, including 18 detached single-family homes and seven six-unit townhouse structures.

(d) Central Subarea. The Central Subarea encompasses the central knoll area of the project site. A total of 195 units (see Table 3) would be constructed in this subarea, including 103 detached single-family homes, 10 six-unit townhouse structures, and four eight-unit townhouse structures. The principal common recreational facilities for the project would also be constructed in the Central Subarea, including a pool, spa, rest rooms, and two tennis courts. These recreational facilities would be illuminated at night. Development near the ridge edge of this Central Subarea would be prominently visible from viewpoints to the north, east, south, and west due to the elevated, prominent nature of this central ridge in relation to surrounding urban areas.

Table 3
 HOUSING TYPES BY SUBAREA

<u>Subarea</u>	<u>Single-Family*</u>	<u>Six-Unit Townhouse</u>		<u>Eight-Unit Townhouse</u>		<u>Units</u>
		<u>Structures</u>	<u>Units</u>	<u>Structures</u>	<u>Units</u>	
Entry	--	--	--	--	--	--
West	27	3	18	3	24	69
South	18	7	42	--	--	60
Central	103	10	60	4	32	195
North	24	1	6	--	--	30
East	85	10	60	1	8	153
TOTALS	257	31	186	8	64	507

SOURCE: Wagstaff and Associates, October 1988.

*Production homes and custom homes.

Figure 11 shows a preliminary illustration of a representative Central Subarea residential cluster. The cluster shown includes 62 units, or about 53 percent, of the Central Subarea total.

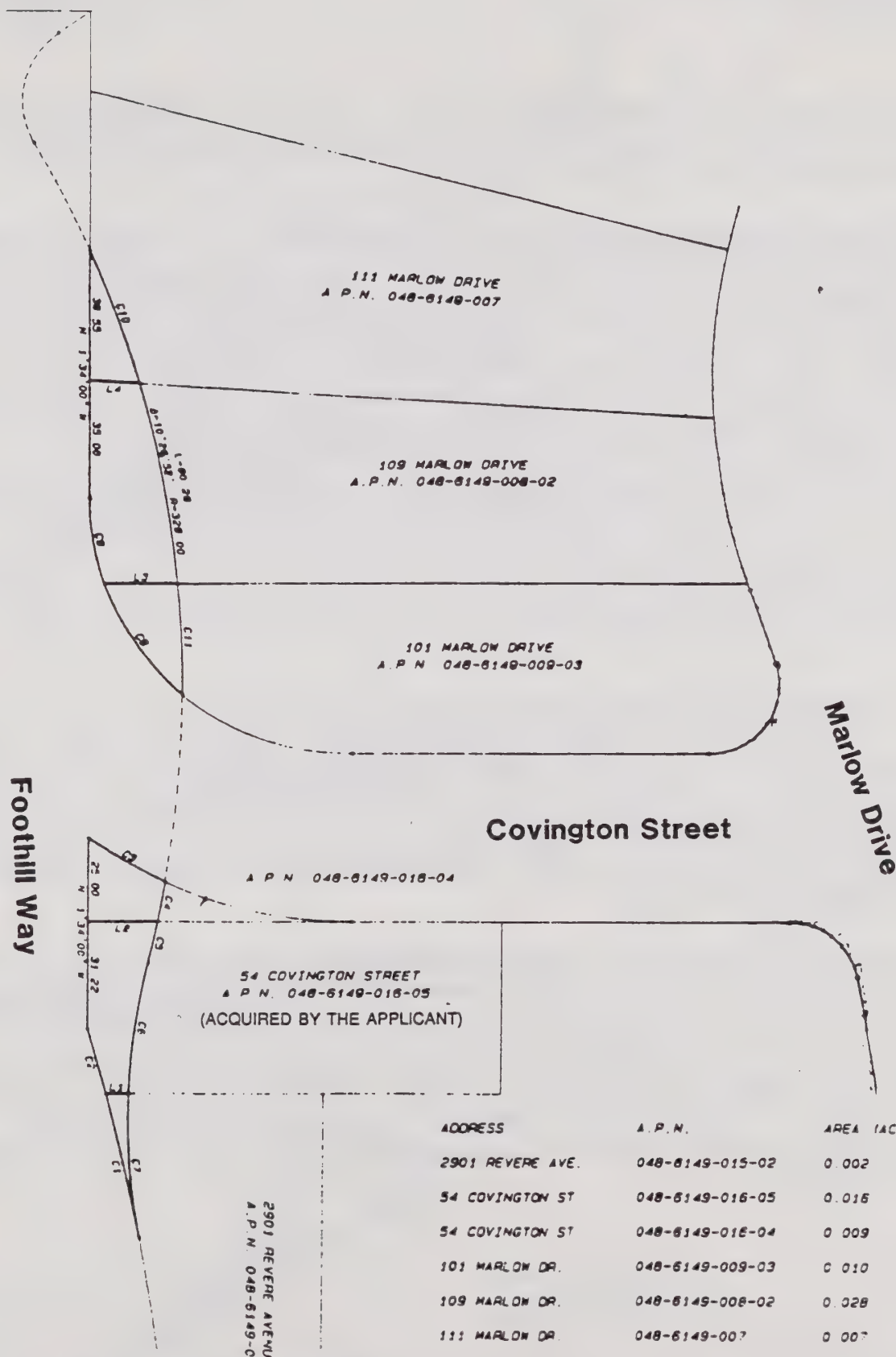
(e) North Subarea. This project subarea slopes down toward the northeast away from the central knoll. Portions of this subarea would be visible from the Chabot Park Highlands neighborhood to the north and the Oakland (Lake Chabot) Municipal Golf Course to the northeast and east. A total of 30 units, including 24 detached single-family homes and one six-unit townhouse structure, would be constructed on these northeastern slopes.

(f) East Subarea. The East Subarea contains the site's secondary knoll. A total of 153 units, including 85 detached single-family homes, 10 six-unit townhouse structures, and one eight-unit townhouse structure would be constructed in this subarea.

5. Proposed Project Circulation System

The proposed project would include a combination of onsite and offsite roadway construction and modifications to facilitate access to and from the site and to implement city circulation system plans. These onsite and offsite actions are described below:

(a) Peralta Oaks Drive-Foothill Way Extension/I-580 Onramp Modifications. The existing configuration of the local roadway network is diagrammed on Figure 12. As shown, Foothill Drive currently ends immediately north of Revere Avenue. Access to the immediate vicinity



SOURCE: Charles W. Davidson Co., Civil Engineers



Figure 15
**RIGHT-OF-WAY ACQUISITION NEEDS ALONG
FOOTHILL DRIVE AT COVINGTON ST.**

r of the reservoir.¹ The project sponsor would have to acquire the necessary right-of-way
r through the Dunsmuir Reservoir property to the project sponsor. The sale would be
r contingent upon certain specified conditions.²

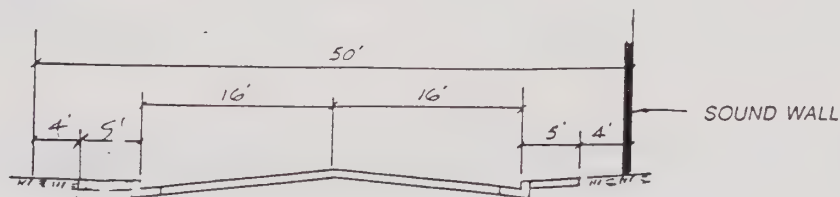
(c) Dunsmuir House and Gardens Southern Entrance. Because the project-necessitated Peralta Oaks Drive-Foothill-Way extension would directly affect the existing southern access to Dunsmuir House, the project sponsor proposes to design and construct a new entrance to the Dunsmuir House facility in a configuration that re-establishes the south entrance as the main entry to Dunsmuir House. Figure 14 shows the configuration of this proposed new southern entrance to Dunsmuir House. The entrance design indicates that offstreet parking and a bus pull-off area would be provided and a bus shelter would be constructed. The
r intent is that bus service to this new southern Dunsmuir House entrance could be used by visitors to the Dunsmuir House and Gardens facility, existing Sheffield Village residents, and residents of the project (the latter would have to drive down from the project residential areas to the new Dunsmuir House and Gardens entrance parking facility). All of these proposed improvements would be paid for and constructed by the applicant. The applicant proposes that the facilities would then be dedicated to the city, which would own and maintain them.

(d) Proposed Project Entrance (Dunsmuir Heights Road). The proposed primary access road to the project, Dunsmuir Heights Road, is illustrated on Figures 14, 16, and 17. As shown on Figures 14 and 16, the proposed access drive would consist of a 50-foot-wide initial street section right-of-way (32 feet of pavement, curb-to-curb) between the proposed Peralta Oaks Drive-Foothill Way extension and an entry gate. A new service entrance to the city's Dunsmuir House and Gardens facility is also proposed immediately west of the Dunsmuir Heights entry gate.

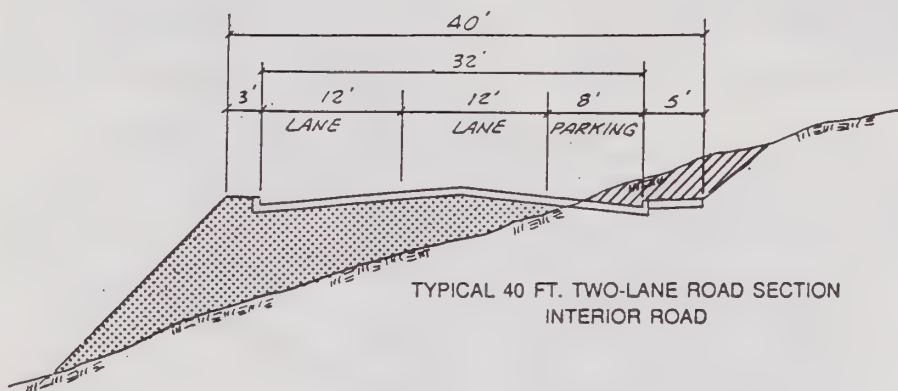
The project sponsor proposes to dedicate the 50-foot-wide road right-of-way between the Peralta Oaks Drive-Foothill Way extension and the new Dunsmuir House service entrance to the city as a public street. As shown on Figure 16, the 50-foot-wide right-of-way would incorporate two 16-foot travel lanes, 5-foot sidewalks on both sides, and a sound wall on the Sheffield Village side of the street. The publicly dedicated street section would extend for approximately 280 feet from the centerline of the Peralta Oaks Drive/Foothill Way extension to a proposed project entry gate immediately east of the new Dunsmuir House service entrance.

¹August 22, 1989 letter from Janet L. Lang, Real Estate Representative, East Bay Municipal Utility District, to Robert G. Miller, Hayward Exchange, Inc.

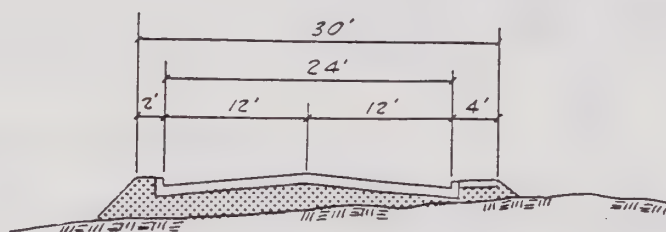
²Ibid.



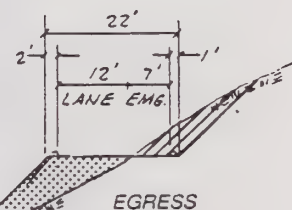
TYPICAL 50 FT. TWO-LANE ROAD SECTION
ENTRANCE ROAD--FIRST SEGMENT
(LOOKING EAST)



TYPICAL 40 FT. TWO-LANE ROAD SECTION
INTERIOR ROAD

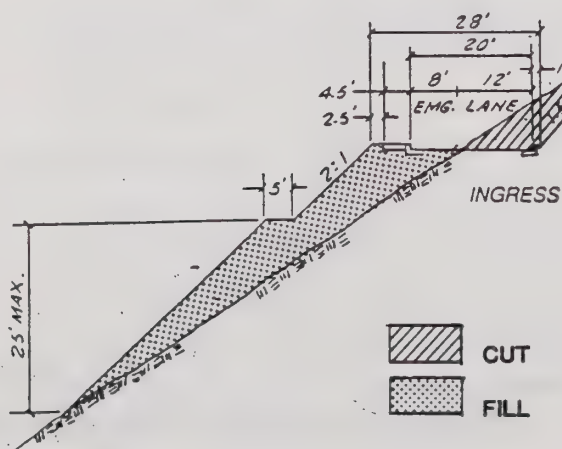


TYPICAL 30 FT. TWO-LANE ROAD SECTION
INTERIOR ROAD



EGRESS

r **Note:** All fill slope ratios would not exceed 2:1, horizontal
r to vertical; and all cut slope ratios would not exceed
r 1.5:1, horizontal to vertical.



TYPICAL DUAL ROAD SECTION
ENTRANCE ROAD
(LOOKING WEST OR DOWNHILL)

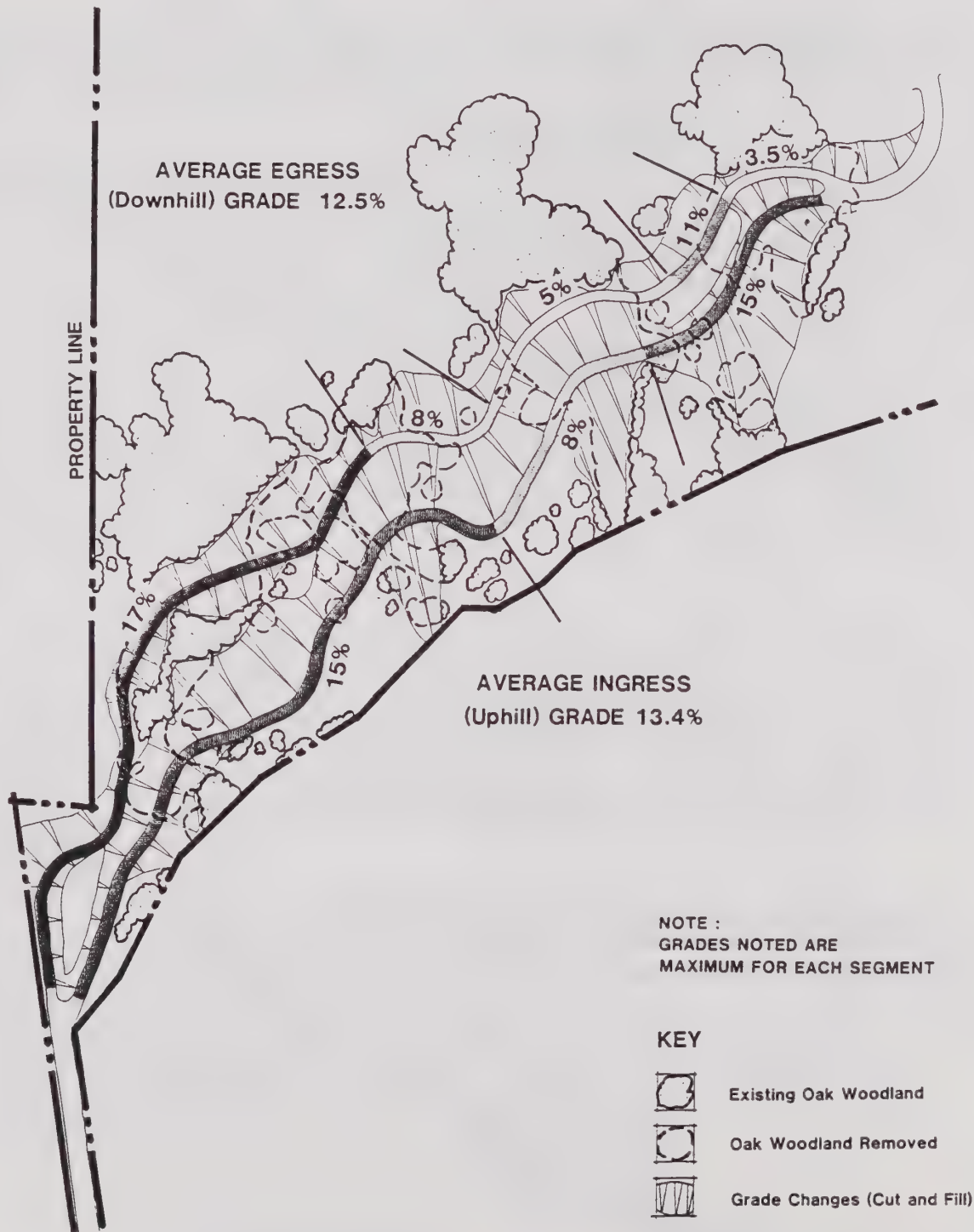


Figure 16

PROJECT ROAD SECTIONS

Dunsmuir Heights Oakland, California

SOURCE: Charles W. Davidson Co., Civil Engineers



RETENTION PONDS NOT SHOWN

0 50 100 200 300



Figure 17
**PROJECT ACCESS ROAD--GRADING,
 GRADIENTS, AND TREE REMOVAL ASPECTS**

(g) Proposed Parking Ratio. The project architect indicates that the proposed parking ratio for the development would be approximately 2.91 spaces per dwelling unit. In addition to the 514 integrated single-family home garage spaces, there would be 242 attached townhouse garage spaces for a total of *756 covered parking spaces*. An additional *720 uncovered spaces* would be available both onstreet and in several parking bays located in the various residential subareas. Overall, a total of 1,476 parking spaces would be provided for the 507 project homes. The adequacy of the proposed project parking ratio and parking space proximity to the dwelling units is discussed in section IV.C.2. of this EIR.

(h) Proposed Emergency Access. As indicated on Figure 18, a 20-foot-wide emergency-only, locked-gate access road would be provided between the South Subarea section of the project access road and the existing cul-de-sac at the end of Cranford Way (in the Sheffield Village subdivision). The existing dirt fire trail here would be upgraded and all-weather surfaced for use by emergency vehicles only. The Oakland Fire and Police Departments have drafted a policy regarding an acceptable means of opening emergency-only access gates in residential communities.¹ The applicant proposes that this gate would remain locked for both entry and exit. The applicant also states that, alternatively, this gate could be equipped with an exit-on-demand feature. The existing dirt fire trail here would be replaced with an all-weather surfaced street.

6. Preliminary Grading Plan

(a) Overall Approach. The proposed grading plan for the Dunsmuir Heights development has been designed to meet three distinct project needs: (1) construction of the hillside access road between Peralta Oaks Drive-Foothill Way and the project residential subareas above; (2) construction of the various residential subareas themselves; and (3) construction of project-related offsite roadway modifications. The project architect states that these project grading operations would be designed to follow applicable city geotechnical standards and regulations and, to the extent possible while still providing the identified project components, minimize cut-and-fill slopes and minimize the loss of scenic assets such as woodland areas and prominent topographic formations.

Figure 19 diagrams the applicant's preliminary grading plan. Figure 16 shows representative grading sections for various project road types. (An enlarged 11" x 17" fold-

¹Chief Robert W. Nichelini, Deputy Chief of Police, City of Oakland, written communication, April 18, 1991. The Police and Fire Departments' policy is to have unimpeded emergency access to all residential developments and unmanned gates must provide exit-on-demand features. Access for non-emergency routine patrol and inspection may be provided by a key switch keyed to the city's call box system since that key is presently carried by police and fire personnel. All unmanned gates must be capable of being activated (opened) by the sound of the standard emergency vehicle siren "yelp" mode.

out version of the preliminary grading plan is included as Figure 57 in section IV.D of this EIR, Geotechnical and Grading Factors.)

Onsite grading would involve both cut and fill operations. Material from cut operations would be used as fill in the canyons and ravines on the site. Up to approximately 200,000

8. Woodland Removal

As described in the Vegetation and Wildlife section of this EIR (section IV.H), approximately 31 percent (40.3 acres) of the site is existing primarily native woodland, including mature coast live oaks, bay, and buckeye. Tree loss estimates in the Vegetation and Wildlife section, which are based on comparison of the project site plan and preliminary grading plan with a 100 percent inventory of existing trees on the site, indicate that approximately 37 percent of the existing woodland acreage onsite (approximately 14.4 acres), including approximately 1,795 of the estimated 4,796 total mature trees¹ currently existing on the site, would be removed as a result of project construction. The trees to be removed include oaks, bay, buckeye, and some introduced ornamental species. The project site plan and preliminary grading plan indicate that approximately 3,001 (63 percent) of the existing onsite trees would be retained.

Of the estimated 1,795 total trees removed to accommodate construction of the project as proposed, most--approximately 1,081 (60 percent)--would be removed to accommodate the proposed dual access entry road, and 714 (40 percent) would be removed to accommodate the proposed residential development areas. In other words, approximately 26 percent of the existing mature trees in the upper residential development area of the site (approximately 714 of an estimated total of 2,717 trees in the upper portion of the site), and approximately 52 percent of the existing mature trees in the hillside, entry road area of the site (approximately 1,081 of an estimated total of 2,079 in this area), would be removed to accommodate construction of the project as proposed. (See related computations in the section IV.H.3, the Vegetation and Wildlife section of this EIR.)

9. Landscaping Program

To date, a precise landscaping plan has not been submitted as part of the project sponsor's preliminary development plan. However, the project sponsor's preliminary project description and related statements by the project architect, landscape architect, and forester indicate that a detailed landscaping, revegetation, and associated irrigation program would be implemented, including a planting program of trees and other plants in the project residential areas, common street trees and shrubbery along the internal project streets, and revegetation of exposed graded areas.

The overall pattern of introduced planting would be informal in order to maintain a natural appearance and visual compatibility with retained natural vegetation. Both native and non-native plants would be used. For example, trees such as Coast Live Oak and Valley Oak would be grouped in randomly placed groves, to achieve a natural appearance and to avoid

¹"Mature trees" are defined in this EIR as trees having a trunk diameter of 4 inches or greater at breast height; i.e., at 4.5 feet above the existing ground level.

r the more formal equally spaced pattern commonly seen along streets. The periphery of
r developed areas would be planted with native species such as Valley Oaks and Coast Live
Oaks to blend into the existing native vegetation. Because these native tree species are
slow-growing, the peripheral areas would also be "interplanted" with faster growing tree
species such as White Alders and European Hackberry, in order to achieve a visual
screening effect more quickly. The alder and hackberry would eventually be removed at
some future date when the oaks reach a level of maturity that provides the desired
permanent visual screening effect.

The illustrative site plan and elevations (Figures 7, 8 and 9) indicate the installation of
landscape plantings around all project residential units. Each neighborhood within the
project would be planted with different individual tree species. For example, the
predominate tree in one neighborhood would be *Cinnamomum camphora* ("Camphor Tree"),
in another, it would be *M. grandiflora* 'Samuel Sommer.'

As shown in more detail on Figure 11 (the typical residential cluster), street trees, small
turfed mini-park areas (number unspecified), and landscaping for common recreational
facilities would be provided. Mini-parks would be accessible from project units by all-
weather surfaced trails and/or sidewalks.

Shrub and ground cover plantings would consist primarily of drought-resistant plant species
which would also be resistant to deer. Ground cover plantings would be used as a soil
cover to reduce water-consuming lawn areas. Lawns would only be planted in mini park
areas.

Some, but not all, landscaping would be irrigated. Landscaping requiring irrigation would be
irrigated with an automatic, low-flow drip system. The project landscape architect states
that all new vegetation requiring irrigation would be irrigated using state-of-the-art electronic
controllers and pressure-compensating equipment.

10. Proposed Project Storm Drainage System

The proposed project design would modify drainage characteristics on up to 85 acres (64
percent) of the 132-acre site. Storm runoff to the west would be channeled via side
canyons to the project entry road, then via a storm drain in the entry road (Dunsmuir
Heights Road) to the Peralta Oaks Drive-Foothill Way extension, along the extension to the
existing Caltrans culvert under I-580 to a point beneath the MacArthur Boulevard/Dowling
Boulevard intersection in San Leandro, where flow would then continue through a 950-foot-
long combination of corrugated metal and reinforced concrete drain pipes, and then through
a 5-foot-wide, 1,480-foot-long concrete arch culvert to San Leandro Creek.

One of the project drainage design objectives would be to reduce current flows into the
Sheffield Village drainage system. The entrance road storm drainage system would be
designed to dissipate and direct runoff from the site's west-facing drainage channels. In

road to reduce potential runoff volumes flowing across the subarea towards Sheffield Village. The project engineer states that these retention basins would be designed and sized so that: (a) under severe storms such as a 100-year event, flow would be temporarily retained in the basins and released at a controlled rate over a longer time period; and (b) under less severe storms, significant storm water backup in these basins would not occur.

Project drainage to the north and south sides of the project site would be designed to flow directly onto existing adjacent, wooded, undeveloped lands. The design assumes that most runoff to open space lands north of the project would percolate into the ground, and that periodic excessive runoff in this direction would flow downhill via existing north-facing drainage channels to the Peralta Oaks-Foothill Way extension where it would be collected and directed into the existing Caltrans and San Leandro storm drainage facilities under and west of I-580. Similarly, the drainage system design assumes that runoff to the south would percolate into the ground or flow via existing natural drainage channels to the San Leandro Creek.

The impacts of the proposed project storm drainage system on existing adjacent and downstream drainage facilities and conditions in Oakland and San Leandro are described in section IV.E of this EIR (Drainage and Water Quality).

11. Project Maintenance

The project sponsor states that a homeowners' association would be established to maintain all project private common areas including internal roads, parking bays, trails, recreational facilities, storm drainage facilities, exteriors of buildings, and landscaping (both between units and on graded slopes).

12. Dunsmuir House Entrance

As described earlier, the proposed construction program includes design and construction of a new entrance to Oakland's Dunsmuir House and Gardens facility in a configuration that could re-establish the south entrance as the main entry to Dunsmuir House. Figure 14 shows the proposed configuration. Off-street parking and a bus pull-off would be provided. As explained earlier, bus service to the south entrance and the associated parking facility would be intended for use primarily by local area residents and visitors to Dunsmuir House. The bus stop could also be used by project residents who would drive to the proposed new parking facility to make the transit connection.

D. PROJECT CONSTRUCTION PHASING

The project sponsor expects construction of the project to occur over approximately a five-year period in the following phases:

<u>Phase</u>	<u>Time Period</u>	<u>Extent of Project Completion</u>
1	Year 1 (18 months)	20 percent
2	Year 2	39 percent
3	Year 3	60 percent
4	Year 4	79 percent
5	Year 5	100 percent

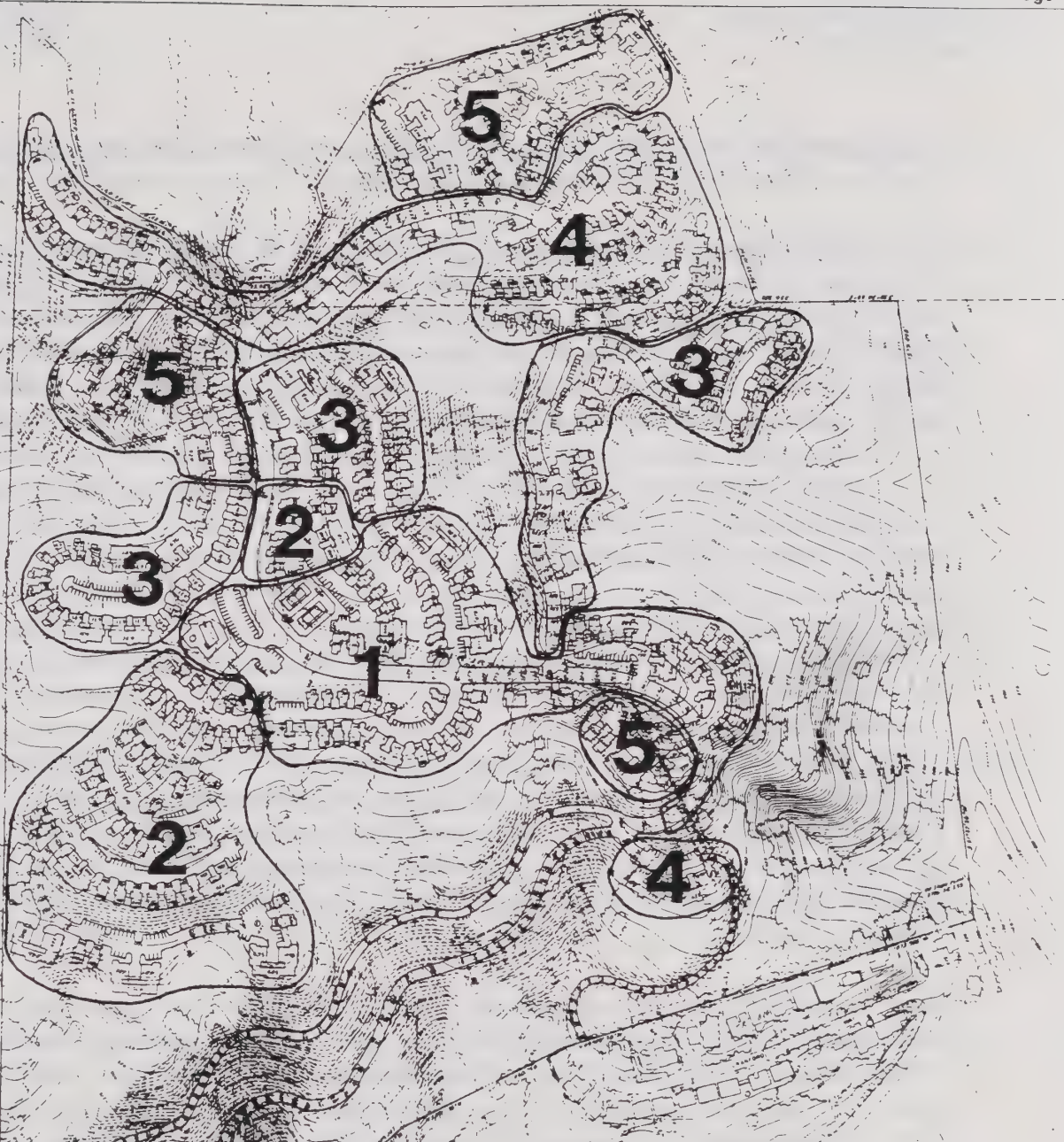
Figure 20 shows the approximate project areas and unit types to be developed, by each construction phase. The applicant intends to obtain the project subdivision Final Map in phases. Not all of the construction phases are contiguous to one another; as a result, several separate tract maps may be required for each phase. Phase 1, however, would be one continuous tract map.

The following factors were considered in determining the proposed five construction phases: domestic water system needs, sanitary and storm drainage system needs, and variations in view amenity for sales purposes. It is anticipated at this time that Phase 1 would be constructed within the first 18 months, and would include "rough" grading for the entire site (to assure a balanced grading effort). Phase 1 would include construction of the Peralta Oaks Drive-Foothill Way extension, associated I-580 ramp modifications, the project access road, and all related modifications to the Dunsmuir House and Gardens facility. Phase 1 would also include the rough grading required for retaining or crib walls, road subgrades, building pads, some recreational facilities (swimming pool and adjacent recreational area and tennis courts), detention ponds, and most of the proposed storm outfalls. During this primary grading operation, the right-of-way for all project streets would also be graded to minimize the need for future returns of heavy grading equipment, to provide access to the entire development site for emergency vehicles, and to provide for EBMUD maintenance access to the Peralta Reservoir.

The remaining four project phases are projected to be constructed over a three to four years period following Phase 1. Subsequent phases may be begun prior to completion of preceding phases. Actual project timing would be dependent upon market conditions, government actions, labor disputes, availability of materials, and other possible constraints beyond the control of the developer.

E. REQUIRED JURISDICTIONAL APPROVALS

Several public agencies are expected to use this EIR in their consideration of approvals required for the proposed project. Anticipated project approval and authorization requirements are summarized in Table 4 and described below:



PHASE	1	2	3	4	5	
SINGLE FAMILY	44	45	53	55	47	244
CUSTOM HOMES	3	2	2	6	6	13
6 PLEX UNITS	36	24	36	36	54	186
8 PLEX UNITS	16	24	16	6	8	64
TOTAL	99	95	107	97	109	507

NOTE: PHASE 1 TO INCLUDE ROUGH GRADING FOR ENTIRE PROJECT SITE, INCLUDING ALL ROAD SUBGRADES.



SOURCE: Hooper Olmsted & Hrovat, Architects



Figure 20
PROJECT PHASING

regulations, particularly as set forth in the city's general plan (the Oakland Comprehensive Plan) and city zoning and subdivision ordinances.

a. Existing General Plan and Zoning Designations. As described earlier, the project site is currently designated on the *Illustrative Future Land Use Map* in the *Land Use Element* of the Oakland Comprehensive Plan (OCP) as "Suburban Residential" (minimum lot size: 10,000 square feet; i.e., a maximum density of 4.4 units/acre). Approximately 129.8 acres of the 132-acre site are currently zoned R-30: One-Family Residential (a maximum of one lot per 5,000 square feet of land area; i.e., a maximum density of 8.7 units/acre);¹ The remaining approximately 2.2 acres (in the north subarea on Figure 10) are currently zoned R-10: Estate Residential (a maximum of one lot per 25,000 square feet of land area; i.e., a maximum density of 1.7 units/acre). Section IV.A.4 of this EIR (Project Relationship with Adopted Plans) includes additional discussion of project zoning factors.

b. General Plan Amendment. The *1985 Trafficways Map* in the OCP Circulation Element schematically indicates a public collector street in the vicinity of the site connecting Foothill Way with Golf Links Road to the northeast. A **General Plan Amendment** would be necessary to substitute the proposed non-through private loop road for the through public collector street designated on the *Trafficways Map*. The General Plan Amendment would modify *Map 6, 1985 Trafficways* by deleting a collector street connecting Golf Links Road to streets in Sheffield Village, as generally portrayed on that official map. The applicant has applied for such an amendment. Under state and locally mandated procedures, this General Plan Amendment would require approval by the Oakland Planning Commission and Oakland City Council.

c. Planned Unit Development Permit. Given the size, various topographic features, and other aspects of the hillside project site, the project sponsor proposes to implement the project under the city's Planned Unit Development (PUD) provisions. Under these provisions, a project sponsor may apply for a PUD Permit to allow certain street design, lot size, lot configuration, lot frontage, lot access, building setback, and other variations from the city's standard R-30 and R-10 requirements, while not exceeding the total density limitations of the zones combined.² Under city PUD procedures, issuance of a PUD Permit

¹Section 7812(c) of the City of Oakland Zoning Code states that additional facilities permitted in the R-30 Zone include one-family dwellings with secondary units, two-family dwellings and multi-family dwellings. These units are permitted in the R-30 Zone as long as at least 50 percent of the total units in the development are one-family dwellings.

²Section 7812(f) of the City of Oakland Zoning Code allows for shifting of units into R-10 zones under a PUD as long as the total maximum units (allowed in the R-10 and R-30 zones, in this case) does not exceed the overall number of units allowed under regular zoning and OCP designations.

requires Planning Commission approval of a Preliminary Development Plan, followed by Planning Commission approval of a Final Development Plan.¹

Following issuance of the PUD Permit, the project sponsor must also follow and complete the city's Major Subdivision (five or more lots) approval process, which requires approval of a Tentative Subdivision Map by the Planning Commission and acceptance of a Final Subdivision Map by the City Council. The applicant has requested a "Vesting" Tentative Map in order to be exempted from future regulations and fees adopted by the city after approval of the Tentative Map. The applicant anticipates that Final Subdivision Maps may then be submitted for city approval in phases corresponding to the anticipated five development sequences.

d. Development Agreement. The applicant has applied for a Development Agreement to stipulate the terms and conditions of onsite and offsite project actions, such as permitted uses, density or intensity of use, maximum building height and size, dedications, phasing, development timing, etc. The Development Agreement would have to be approved by the Planning Commission and the City Council.

e. Offsite Actions. Various project offsite actions, such as the Peralta Oaks Drive-Foothill Way extension, the related westbound I-580 onramp realignment, as well as other offsite roadway, sewer, water, and storm drainage extensions and improvements, and other mitigations required in Oakland as conditions of project approval, would be approved or denied by the Planning Commission and City Council as part of their overall Preliminary Development Plan, Final Development Plan, Tentative Map, and Final Map actions.

If any of these various city approval requirements described above and listed in Table 4 are denied by the City Council, development of the site under the proposed development plan could not occur. City acquisition by condemnation may be required for ROW and easements for the Peralta Oaks Drive/Foothill Way proposed extension.

2. City of San Leandro

This EIR recommends certain project-related offsite road system and municipal storm drainage system mitigations that would take place within the City of San Leandro, including the addition of a right-turn lane to the eastbound Estudillo Avenue approach to MacArthur Boulevard, and replacement of a 200-foot segment of 48-inch-diameter corrugated metal stormdrain pipe under Dowling Boulevard, between MacArthur Boulevard and Fortuna Avenue with a 48-inch reinforced concrete pipe. These offsite project actions, as well as any other San Leandro mitigations required or recommended by the City of Oakland as

¹The Planning Commission decision may be appealed to the City Council.

3. Alameda County Flood Control District

Portions of the project site would continue to drain directly into San Leandro Creek. The Alameda County Flood Control District (ACFCD) controls the right-of-way along the San Leandro Creek channel. Under ACFCD regulations, the project storm drainage plan must be reviewed and approved by the District to ensure that the project drainage system and related discharges into the creek meet District design standards.

4. East Bay Municipal Utility District

r Proposed municipal water system extensions to serve the project must be designed and
r constructed by EBMUD. The applicant would be responsible for the cost of EBMUD water
r extensions necessary to serve the project. In addition, the onsite Anthony Reservoir site
and access road easement (both vacant) must be acquired by the project sponsor from
EBMUD.¹ The sale of the 1.18-acre Anthony Reservoir to the project sponsor was recently
approved by the EBMUD Board of Directors.

EBMUD must also agree to the proposed relocation of the Peralta Reservoir water line from
its current alignment to a new alignment beneath the project streets. The proposed Peralta
Oaks Drive-Foothill Way extension would require that the project sponsor acquire from
EBMUD the right-of-way for the portion of that roadway extension that is proposed to cross
r the western edge of the District's Dunsmuir Reservoir property (see Figures 2 and 13).² If
r the District refused to sell the necessary ROW and easements, the City could choose to
r acquire them pursuant to California eminent domain law, as a means of implementing the
r OCP Trafficways Map.

5. Dunsmuir House Administration³

The proposed reconstruction at Foothill Way of the existing Covington Drive entry (south gate) to Oakland's Dunsmuir House and Gardens facility, related parking and bus stop facilities, and the construction of a new service entry from the proposed Dunsmuir Heights

¹The property acquired many years ago by EBMUD for the potential Anthony Reservoir is no longer needed by the District since other distribution system improvements were made in 1983. It was offered for sale to other public agencies in 1988, and since there was no response, the developer, Hayward Exchange, offered to purchase it. The EBMUD Board of Directors voted on December 11, 1990, to approve the sale of the Anthony Reservoir site to Hayward Exchange, Inc. (the project sponsor), per Resolution No. 32424.

²Jerome Gilbert, General Manager, EBMUD; letter dated June 29, 1990.

³Dunsmuir House and Gardens, Inc., is a non-profit corporation administered by a Board of Trustees. It currently operates and maintains the City of Oakland's Dunsmuir House and Gardens under contract with the City. The Board of Trustees, as an advisory board, makes recommendations on matters related to this facility to the City Parks and Recreation Advisory Committee.

- r Road, would require an advisory review and recommendation by the Dunsmuir House and Gardens Board of Trustees, a recommendation by the City of Oakland Parks and Recreation Advisory Commission, a recommendation by the Landmarks Preservation

Table 4

SUMMARY OF REQUIRED JURISDICTIONAL APPROVALS

<u>Required Approvals and Authorizations</u>	<u>Approval Body</u>
(1) EIR Certification	Oakland Planning Commission, prior to final action on the PUD Preliminary Development Plan.
(2) PUD Permit	
▪ Preliminary Development Plan, including onsite and offsite actions and conditions ¹	Oakland Planning Commission (decision may be appealed to the Oakland City Council)
▪ Final Development Plan, including onsite and offsite actions and conditions ¹	Oakland Planning Commission (decision may be appealed to the Oakland City Council)
(3) General Plan Amendment (to allow for private, non-through access road)	Oakland Planning Commission and Oakland City Council
(4) Major Subdivision (5 or more lots)	
▪ Vesting Tentative Map, including onsite and offsite actions and conditions ¹	Oakland Planning Commission and Oakland City Council
▪ Final Map, including onsite and offsite actions, conditions, and specifications ¹	Oakland City Council
(5) Development Agreement, including onsite and offsite actions and conditions ¹	Oakland Planning Commission and Oakland City Council
(6) I-580 onramp modifications: state authorization, state Encroachment Permit, federal authorization	City of Oakland and Caltrans (federal authorization would be requested by Caltrans as part of state authorization procedure)
(7) Onsite stream alterations (grading, ravine fills, etc.)	
▪ Standard Streambed Alteration Permit (including mitigation plan)	California Department of Fish and Game
▪ Nationwide Permit No. 26	U.S. Army Corps of Engineers ²

¹ Offsite actions and approvals would include the proposed Peralta Oaks Drive-Foothill Way extension, municipal sewer extensions, municipal storm drainage system connections, construction of Dunsmuir House and Gardens parking facility, and other offsite improvements (roadway, etc.) proposed or required within the Oakland city boundary as conditions of project approval.

² The USACE has determined that the streambed alterations are covered under the Nationwide Permit since less than one acre of streambed would be filled.

	(8) Peralta Oaks Drive-Foothill Way extension development and construction plans	City of Oakland, EBMUD, and the California Division of Dam Safety
	(9) Acquisition of portions of the rear yards of five privately owned residential lots, totaling 0.072 acres, to accommodate the Peralta Oaks Drive-Foothill Way extension right-of-way.	Oakland City Planning Commission and Oakland City Council
r r r	(10) Peralta Oaks Drive-Foothill Way extension right-of-way acquisition through EBMUD Dunsmuir Reservoir property	EBMUD and the California Division of Dam Safety and City Council if condemnation is required
	(11) Covington Street closure and partial abandonment	Oakland City Planning Commission and Oakland City Council
	(12) Reconstruction of the south gate and service entry to the Dunsmuir House and Gardens facility	Dunsmuir House Board of Directors, Oakland Parks and Recreation Advisory Commission, Landmarks Preservation Advisory Board, Oakland Planning Commission, Oakland City Council
r r	(13) Acquisition of the Anthony Reservoir site and access road easement ³	EBMUD
	(14) Authorization of project storm drainage system discharges into San Leandro Creek	Alameda County Flood Control District
	(15) Authorization and approval of project-related modification to the municipal storm drain pipe in San Leandro between MacArthur Boulevard and Fortuna Avenue (200-foot segment)	City of San Leandro
	(16) Authorization and approval of project-related mitigations in San Leandro required or recommended by the City of Oakland as conditions of project approval (addition of eastbound right-turn lane to Estudillo/MacArthur intersection, etc.)	City of San Leandro
	(17) EBMUD extension of service from Peralta Reservoir	EBMUD

SOURCE: Wagstaff and Associates

³ Letter from EBMUD General Manager Jerome Gilbert to Chabot Park Highlands Homeowners Association President, Jerry Belden, dated June 29, 1990.

A. LAND USE, POPULATION, AND HOUSING

1. PHYSICAL LAND USE

a. Setting

The site is located in the southeastern portion of the City of Oakland near the City of San Leandro. Figure 2 in section III of this EIR illustrates the relationship of the project site to the Oakland/San Leandro city limits. The existing proposed land use setting relevant to the project is described below, including the land use characteristics of the site itself, surrounding land use conditions, and the subregional pattern of urbanization and open space in the site vicinity.

(1) Onsite Land Use. Existing project site land use characteristics are illustrated on Figures 3, 4, and 5 in section III of this EIR. The site is currently comprised of an undeveloped open space portion of the south Oakland hills. The 132-acre hillside property, in combination with the undeveloped adjacent 33.5-acre Drinnen property to the north, the 140-acre Oakland (Lake Chabot) Municipal golf Course to the east, and the undeveloped EBMUD watershed lands to the southeast, creates a significant open space separation between the Bay-O-Vista/Sheffield Village neighborhood to the south and the Chabot Park Highlands neighborhood to the north.

There are no existing structures on the project site. There are several existing easements, however, including various EBMUD reservoir, water line, and related access and drainage easements (see Figure 5 in section III and Figure B--1 in Appendix B). The most significant of these easements include the approximately 1.2-acre Anthony Reservoir site, an access easement through the site linking Covington Drive with the adjacent Peralta Reservoir property (the existing EBMUD water storage tank east of the site), and an 8-foot-wide water line easement that crosses the site in a southeast-to-southwest direction between the Peralta Reservoir and Cranford Way. The Anthony Reservoir site is vacant. The access easement to the Peralta Reservoir contains an unpaved road. The 8-foot water line easement contains an existing 16-inch-diameter EBMUD water main connecting Peralta Reservoir with Sheffield Village and City of San Leandro water service areas below the site.

There are no other known existing site encumbrances or improvements on the project site.

(2) Local Land Use Character and Surrounding Land Use. The existing land use pattern in the surrounding Oakland-San Leandro area is illustrated on Figure 2 in section III and on

Figure 21 which follows. The site vicinity east of I-580 is distinguished by a mixture of older single-family lot subdivisions separated by substantial open space areas. This development pattern, in combination with the hilly nature of the area and the visual prominence of its undeveloped hillside backdrop, gives the Sheffield Village and Chabot Park Highland neighborhoods a semi-rural character.

The *Oakland (Lake Chabot) Municipal Golf Course* is contiguous to the site's northeast boundary. Constructed in 1931, the 18-hole, approximately 140-acre facility is operated by the City of Oakland Recreation Department and is open to the public on a fee basis. Landfill operations are currently underway on the golf course property west of the clubhouse near the eastern boundary of the project site. The operations are being conducted to provide for improvements to the golf course facility (driving range, etc.) and are not related in any way to the Dunsmuir Heights project.¹

The approximately 1.5-acre EBMUD *Peralta Reservoir* site is contiguous to the project site's east boundary, between the site and the golf course. The 1,018,000-gallon water storage tank currently supplies the golf course and 392 existing residential connections in the EBMUD Peralta Pressure Zone, including homes in the Sheffield Village neighborhood and City of San Leandro neighborhoods below the project site via a 16-inch-diameter pipe that traverses the project site within the 8-foot EBMUD easement.

The *Chabot Park Highlands* area of Oakland, a single-family estate residential subdivision of approximately 520 homes, is located in the hills northwest of the site. The Chabot Park Highlands subdivision was recorded in 1947 (Chabot Park Estates Company). Lot sizes in this subdivision average roughly 25,000 square feet. The overall density is 1.5 units per acre excluding the vacant, 33.5-acre Drinnen Site. Lots nearest the project site and along the edge of the golf course range in size from one-half to over one acre, with the exception of the 33.5-acre Drinnen property that is contiguous to the northern boundary of the site (see Figure 2).

r The vacant 33.5-acre *Drinnen property* (APN 48-6254-01) is located within the boundary of
r the Chabot Park Highlands subdivision (see Figure 2). Although the Drinnen property is
r zoned R-10 (maximum density of 1.7 units per acre), the original (1947) Declaration of
Conditions, Covenants, Restrictions, Easements, and Charges (CC&Rs) affecting the parcel
stipulates that the property has a right of access from the existing cul-de-sac at the end of
Lochard Street (a private road within Chabot Park Highlands), and that no more than one
single-

¹August 21, 1989 letter to Wagstaff and Associates from H.K. White, Director, City of Oakland Office of Parks and Recreation.



Figure 21
**EXISTING LOCAL
LAND USE PATTERN**

Dunsmuir Heights Oakland, California



family detached dwelling shall be erected on the property.¹ This stipulation, and other Chabot Park Highlands CC&Rs affecting the Drinnen property, can be modified or amended only with the consent of the Chabot Park Highlands (Homeowners) Association. The majority of the Drinnen property is also comprised of steep terrain that makes street access to more than a limited portion of the property impractical. Given these limitations, the prospect of any future development of the site with a significant number of homes (more than five) is unlikely.

The 45-acre city-owned *Dunsmuir House and Gardens* complex is located immediately north of the proposed project entry (Dunsmuir Heights Road). The public complex is owned by the city and operated by the city's Parks and Recreation Department. The Dunsmuir House and Gardens complex is a City and nationally designated historic landmark; the entire area within the house and grounds boundary is designated as a City of Oakland landmark site, and the mansion is listed on the National Register of Historic Places.² Operation of the complex is currently governed by an advisory board, the Dunsmuir House and Gardens Board of Directors. The facility can be reached via two access points, a northern access from Peralta Oaks Drive, and a southern access from Covington Drive. The northern Peralta Oaks Drive connection is currently used as the primary public access, although the southern, Covington Drive access was the original primary access to the residence.

Adjacent to and southwest of the site is the *Sheffield Village* neighborhood of Oakland, a single-family subdivision of approximately 380 homes. This older, well maintained neighborhood is located on a relatively flat area at the foot of the project site's west- and southwest-facing hillsides. The subdivision averages roughly 8,500 square feet per lot with an overall density of 4.4 units per acre.³ Sheffield Village separates the project site from the northeast boundary of the City of San Leandro and from San Leandro's Bay-O-Vista residential neighborhood to the south.

The vacant 21.2-acre *Melrose Baptist Church property* (APN-048-6247-002-10) is also near the project site (see Figure 2). The church property is located within the Chabot Park Highlands subdivision adjacent to the northeast boundary of the Dunsmuir House and Gardens property. The southeast boundary of the church property is contiguous to the Drinnen property. The Drinnen parcel separates the church parcel from the project site. Like the Drinnen property, the church site is zoned R-10 (1.7 units per acre maximum density). A recent title search shows that the church property CC&Rs stipulate that the parcel has a right of access via Kerrigan Drive to Overmoor Street in Chabot Park

¹Preliminary Title Report, Order No. 99118, Chicago Title Company of Alameda County, July 22, 1986.

²Helaine Kaplan-Prentice, RLA, Associate Planner, City of Oakland, FAX memorandum to Deborah Holley, Wagstaff and Associates; December 26, 1990.

³Based on analysis of aerial photography and City of Oakland base maps.

r Highlands, which ultimately connects to Malcolm Drive. This access easement appears to
r represent a physically feasible route. Although the majority of the church property is
r comprised of steep terrain, its access easements appear to be less physically constrained
r than the Drinnen legal access. Given these considerations, the maximum future
r development potential assumed in this RDEIR for the 21.2-acre church property is 12 units
r (the actual, feasible development capacity is probably less).

Bay-O-Vista is a hillside subdivision of single-family detached hillside homes in San Leandro ranging in approximate age from 15 to 30 years. The average density of this neighborhood is approximately 3 to 4 dwelling units per acre.¹

The *MacArthur Boulevard/Bancroft Avenue/Dutton Avenue* area of San Leandro lies west of the project site on the opposite (west) side of I-580. MacArthur Boulevard here includes strip commercial development that serves the convenience needs of surrounding Oakland

¹Based on analysis of aerial photography and City of San Leandro base maps.

and San Leandro residential neighborhoods. The Bancroft Avenue/Dutton Avenue area west of this commercial strip includes established residential neighborhoods of well-maintained, single-family detached homes at densities of 5 to 7 units per acre.¹

(3) Subregional Pattern of Urbanization and Open Space. Figure 21, the aerial photograph of the site vicinity, illustrates the pattern of urbanization and open space surrounding the project site. Figure 22 diagrams the broader, subregional pattern of urbanization and open space in the Oakland-San Leandro area, including community- and region-serving park facilities. The two maps indicate the relationship of the project site to the existing open space system encompassing the ridgelines above Oakland and San Leandro. The open space system is comprised of numerous contiguous permanent components, including Joaquin Miller Park, Redwood Regional Park, Anthony Chabot Regional Park,² EBMUD watershed lands east of Anthony Chabot Regional Park, Knowland State Arboretum and Park, and Oakland (Lake Chabot) Municipal Golf Course. The 132-acre project site, in combination with the 33.5-acre Drinnen property to the north, the golf course to the east and the EBMUD watershed lands to the south, currently forms a significant open space adjunct to Anthony Chabot Regional Park, and the greater ridgeline open space system shown on Figure 22.

The site is separated from Anthony Chabot Regional Park by the golf course. As shown on Figure 21, the project site is in a west-facing hillside zone between this major open space system in the Oakland/San Leandro hills and the urbanized flatlands of Oakland and San Leandro below.

This transitional zone includes rolling, wooded terrain intermixed with hillside suburban residential and low-density residential subdivisions, including the Malcolm Avenue/Chabot Park Highlands area to the north and Bay-O-Vista to the south.

b. Land Use Impacts

(1) Onsite Land Use Impacts. Figure 23 depicts the project introduction into the local land use and open space pattern. The proposed project would add 507 additional dwelling units to southeast Oakland. The project would directly convert 66 acres of existing open space--approximately 50 percent of the 132-acre site--to urban use (residential areas and roads).

Open Space Impacts. The project would directly eliminate 66 acres from the local and regional open space inventory, and would preclude any future acquisitions of these 66 acres

¹Based on analysis of aerial photography and City of San Leandro base maps.

²Anthony Chabot Regional Park lands are leased to the East Bay Regional Park District by their owner, EBMUD.

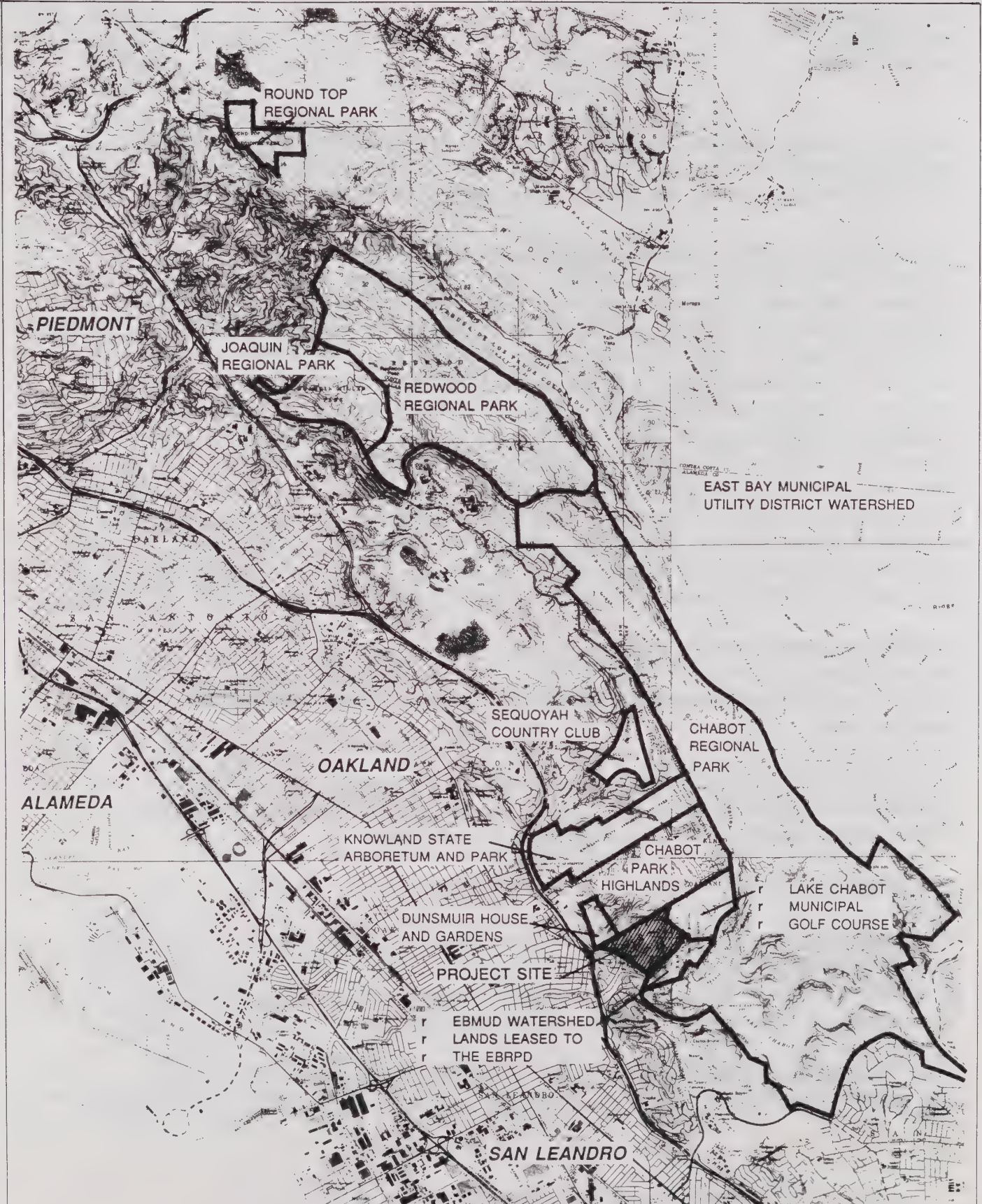


Figure 22

SUBREGIONAL URBANIZATION/ OPEN SPACE PATTERN

Dunsmuir Heights Oakland, California

loss of approximately 1,054 of the estimated 2,079 trees in the Entry Subarea. The four existing ravines on the site's west-facing hillsides would be partially filled to accommodate the access road; fill depths here would range from 10 to 60 feet.

The specific geotechnical and biotic impacts associated with these grading and tree removal aspects of the project, and related mitigation measures, are described in sections IV.D and IV.H of this EIR.

Impacts on Onsite Easements. The vacant onsite Anthony Reservoir site would have to be acquired by the project sponsor from EBMUD. The District has proposed such a sale to the applicant.¹ Such an acquisition would not constitute a significant land use impact. (Related impacts on future water supply adequacy are described in section IV.G.3 of this EIR, Municipal Services and Fiscal Factors).

The developer and the EBMUD have reached a tentative agreement regarding the need and cost responsibility for the relocation of onsite reservoir water line, access easement, and drainage easement. The developer proposes placement of District service lines within project streets, and to provide permanent District access to the District's Peralta Water Storage Tank. Acquisition and relocation of easements would not constitute a significant land use impact.

(2) Impacts on Local Land Use Character and Surrounding Land Uses. Project impact concerns related to the local land use character and to surrounding land use include loss of the area's semi-rural character, project impacts on the adjacent Lake Chabot Municipal Golf Course, project compatibility with adjacent and nearby residential development, project impacts on the adjacent Dunsmuir House and Gardens complex, and the impacts of project-related offsite actions (Peralta Oaks Drive-Foothill Way extensions, Dunsmuir House and Gardens complex entrance modifications, etc.). These impacts are described below.

Impacts on Local Semi-Rural Character. Development of the project would result in the direct loss of 66 acres of open space in the Oakland hills. Because of the visual prominence of the hilly site adjacent to Interstate 580 and its value as an undeveloped community natural feature and identity element, the project would adversely affect the perceived semi-rural character of the local area. The clustered ridgetop development pattern of the project would substantially alter the land use character of an area that is currently distinguished by a mixture of older single-family lot subdivisions separated by substantial open space areas. This change in semi-rural character would constitute a significant adverse environmental impact.

¹Letter from Janet Lang, Real Estate Representative, EBMUD, to Rob Miller, Hayward Exchange, Inc.; August 22, 1989.

The visual impacts of the project on the semi-rural character of the area, and related mitigation measures, are discussed in the Visual Factors section (IV.B) of this EIR.

Impacts on Lake Chabot Municipal Golf Course. The project site is immediately west of the city's Lake Chabot Municipal Golf Course facility. As shown on Figure 10, the project's North and East residential development subareas would be directly adjacent to the golf course. (Hole #16 of the golf course is immediately north of the East Bay Municipal Utility District's Peralta water tank.) There are existing residential developments on Turner Avenue and Sun Valley Drive that currently abut the golf course (see Figure 23). Although the project would not directly encroach onto the golf course, the introduction of additional residential development along the golf course boundary may affect the visual quality of hole #16. The proposed project could also reduce golf course security by increasing golf course accessibility from the west. In particular, there could be an increase in vandalism and unauthorized play which might have adverse impacts on the playability of the golf course.¹ These effects could constitute a significant environmental impact.

Note: The city's Office of Parks and Recreation has also recommended that, if the project were approved, a revision to the Lake Chabot Golf Course boundary should be made to yield the extra length in fairway required to make the municipal course meet championship standards.² (See section V.E.4, last paragraph, for discussion of related impact implications.)

Land Use Compatibility Impacts on Nearby Residential Development. The Dunsmuir Heights project would be contiguous to the 380-unit *Sheffield Village* subdivision. As shown on Figure 23, the project design would retain much of the southwest-facing hillside as a permanent open space buffer separating the project residential clusters from existing Sheffield Village residences. However, the steep slopes of this hillside area would also be traversed by the proposed hillside access road. As illustrated by the simulation on Figure 30 in the Visual Factors section of this EIR (VI.B), the hillside access road would have significant visual impacts on portions of Sheffield Village. As described in section IV.F of this EIR, the hillside access road would also result in significant noise impacts on 15 to 20 Sheffield Village homes contiguous to the closest segments of Marlow Drive and Covington Drive. These visual and noise impacts and associated mitigation measures are described in sections IV.B and F.

Figure 23 also provides a general illustration of project **density** in comparison to existing surrounding neighborhoods. *Sheffield Village* is comprised of a comparatively uniform pattern of detached, single-family homes on lots averaging approximately 8,500 square feet

¹Bill Menear, Senior Golf Supervisor, Oakland Parks and Recreation Department, personal communication, November 2, 1988.

²H.K. White, Director, Office of Parks and Recreation, written communication, March 1989.

of the project, 3.8 units per acre, would be consistent with densities in Sheffield Village (4.4 units per acre), and with the city's general plan density designation for the site (4.4 units per acre maximum). However, this gross project density figure includes the 66 acres of permanent open space surrounding the proposed residential areas. The project's "clustered" site plan and related home types and "footprints" would be substantially different than the layout characteristics of the Sheffield Village. The density of the project residential areas, excluding the 66-acre permanent open space area, would be upwards of 8 units per acre.

r The *Chabot Park Highlands* subdivision is comprised of large single-family detached homes on large lots typically ranging from one-half acre to over one acre in size. The gross density of this area is approximately 1.5 units per acre excluding the vacant, 33.5-acre Dinnen site. In comparison, the project would be comprised of a distinctly different, more compact, combination of single-family cluster homes (257 units), six-unit townhouses (186 units), and eight-unit townhouses (64 units), without private yard areas. (Open space throughout the site would be owned and maintained by the homeowner's association.)

These physical differences between the project and the adjacent Sheffield Village and Chabot Park Highlands neighborhoods would be separated and permanently "insulated" from one another by the substantial and permanent hillside open space areas surrounding the project residential development area to the west, north, east, and south. As a result, density-related land use impacts would be less than significant.

Peralta Oaks Drive-Foothill Way R-O-W Private Land Acquisition Impacts. The proposed Peralta Oaks Drive-Foothill Way extension would require the City of Oakland to acquire portions of five privately owned residential lots, including portions of the backyards of three homes on Marlow immediately north of the Marlow Drive/Covington Street intersection, part of a side yard of the westernmost home on Covington Street, and part of a side yard on the westernmost home along the north frontage of Revere Avenue. One of these parcels is already owned by the applicant, as shown in Figure 15. A maximum total of approximately 0.07 acre of privately owned land would have to be acquired to provide the right-of-way for the roadway extension. If this aspect of the project was approved, the R-O-W acquisition would be made by the city, with reimbursement by the applicant.

Article I, Section 19 of the California Constitution requires just compensation for a private property taken by a public agency for a public purpose. Section 1263.310 of the California Code of Civil Procedure requires that the compensation be the fair market value of the property that is taken. In order to determine the fair market value, the worth of the property before and after the taking must be determined. The difference in the worth, or fair market value before and after, determines the just compensation. The City of Oakland would appraise the 0.07 acre of property and make offers to the property owners. If the offers were rejected by any of the property owners and could not be negotiated, litigation would

occur and a court would determine the just compensation. Given these city just compensation procedures and the minimal amount of land involved, acquisition of these private parcel portions would constitute a less than significant land use impact.

- r The noise impacts of the roadway extension are discussed in section IV.F.2.a of this EIR; the tree removal impacts are discussed in section IV.H.2.a(9).

- Peralta Oaks Drive-Foothill Way R-O-W EBMUD Land Acquisition Impacts.* The proposed
r Peralta Oaks-Foothill Way extension alignment would require acquisition of the necessary
right-of-way across the western portion of the Dunsmuir Reservoir property. The roadway
would also cross over an existing 60-inch-diameter inlet-outlet pipeline to the Dunsmuir
Reservoir, and would border a topsoil stockpile area used during construction of the
r reservoir. The project sponsor or the city (at project sponsor cost) would have to acquire
r from EBMUD the necessary right-of-way through the Dunsmuir Reservoir property to
accommodate the collector road extension. The sale would be contingent upon certain
specified conditions, including measures to prevent interference with the existing reservoir
pipeline and topsoil stockpile, and provision of adequate maintenance access to the
r Dunsmuir reservoir via a driveway connection to the collector road extension.¹ Assuming all
of the sale conditions specified by EBMUD and summarized above would be met, the land
use impacts associated with acquisition of the EBMUD right-of-way would be less than
r significant. The State Division of Safety of Dams has stated that the construction of the
r Peralta Oaks Drive-Foothill Way extension would not impair the safety of the Dunsmuir
r Reservoir and that no application to the Division would be required.²

- Dunsmuir House Roadway Entrance Modification Impacts.* The proposed new *southern entrance to the Dunsmuir House and Gardens complex* off of the Peralta Oaks Drive-Foothill Way extension could reestablish the south entrance as the main entry to Dunsmuir House, as called for in the city's Peralta Oaks Plan. The collector road extension design illustrated on Figure 14 indicates that south public entrance modifications, offstreet parking facilities, a bus pull-off, and associated landscaping would be constructed by the project sponsor on the adjacent Dunsmuir House and Gardens property, and a reconstructed south maintenance entrance to the complex would also be provided along Dunsmuir Heights
r Road, as part of the overall collector road extension and project entrance design. The City
r Council may request a recommendation on these offsite project components from the
r Dunsmuir House and Gardens Board of Directors, Office of Parks and Recreation, and
r Planning Commission prior to Council approval. The entire Dunsmuir House and Gardens
r property is a city-designated landmark site. These modifications would therefore also
require review by the Oakland Landmarks Preservation Advisory Board as part of the overall

¹August 22, 1989 letter from Janet L. Lang, EBMUD Real Estate Representative, to Robert G. Miller, Hayward Exchange, Inc.

r ²February 15, 1991 letter from Vernon H. Persson, Chief, Division of Safety of Dams, to
r Dennis L. Allen, Chief Engineer, EBMUD.

r development review process for the project. In addition, any changes to the exterior
r appearance of any feature within the House and Gardens boundary would be subject to the
r design review procedure set forth in Section 7002 of the city Zoning Code. Design
r approval would be by the Director of City Planning, upon recommendation of the Landmarks
r Preservation Advisory Board.

A master planning effort is currently under way for the Dunsmuir House facility. The plan that is adopted as a result of this process could affect these proposed entrance modifications. The proposed modifications would constitute a less than significant land use impact and may be

- r beneficial due to the addition of a more direct vehicular access drive, a bus pull-off, bus
- r shelter, off-street parking, additional onstreet parking, and added landscaping.

(3) Impacts on the Subregional Land Use and Open Space Pattern. Figures 22 and 23 illustrate the local and subregional land use pattern. In a subregional context, development of the upland areas of the project site with residential clusters as proposed would represent

- r a substantial extension of the ridgetop residential development pattern that exists along
- r Skyline Boulevard, the Sequoyah Country Club area, the Chabot Park Highlands area, and
- r the Bay-O-Vista neighborhood (see Figure 22). The extension would be generally consistent with the local land use pattern envisioned on the Oakland Comprehensive Plan (OCP) Illustrative Future Land Use Map. The project would also represent buildout of the largest portion of remaining vacant residentially designated land in southeast Oakland.

- r Although generally consistent with the OCP land use map, the project would represent a
- r significant adverse impact on the subregional open space inventory. As shown on Figure 22, the project site represents a contiguous and visually prominent component of the existing subregional system of open space areas and parks that stretches along the area's uppermost ridges, including Joaquin Miller Park, Redwood Regional Park, Anthony Chabot Regional Park, Knowland State Arboretum and Park, and Lake Chabot Municipal Golf Course. Development of the project would preclude future acquisition of the site as a permanent extension of this existing ridgeline open space system. Also, as explained in the Visual Factors section of this EIR (IV.B), the effect of the proposed project on views from
- r urban areas to the west and southwest in Oakland, and San Leandro and from the southern
- r Lake Chabot portion of Anthony Chabot Regional Park, would constitute a significant adverse visual impact, detracting from the area's important open space values.

- (4) Project Growth-Inducing Land Use Impacts. The project includes 507 units that would add approximately 1,406 persons to the community. This population increase would be expected to stimulate neighborhood and community-serving commercial activity in the area. With the proposed project access road connection location at Foothill Way, most of this increase would be expected to affect the MacArthur Boulevard commercial area in San Leandro. The project population might also create enough additional demand for nearby commercial shopping to spur re-establishment of neighborhood-serving commercial activity in the existing shopping center complex located northeast of the site on Golf Links Road near Grass Valley Road. The shopping center once contained a supermarket and other retail commercial uses. As of September 1990, the space was occupied by lower intensity uses including Golden Gate Litho, the American Heart Association Alameda County Chapter offices, Realty World, and the Chabot Children's Center. Replacement of these uses with higher-intensity retail commercial businesses could result if the project were modified, as recommended in this EIR, to include a through collector road connection between the
- r project and Golf Links Road. (Please refer to section IV.C.6 for more information regarding a possible through

r road connection to Gold Links Road.) This secondary effect would not be expected to
occur with the proposed non-through access road connection to Foothill Way.

In a more general context, the project may increase Oakland's attractiveness to new and
expanding businesses seeking good local housing opportunities and a strong resident
employment base. Furthermore, if the project is successfully marketed, increased pressures
to develop the nearby quarry and Fairmont Hills sites in San Leandro with similar residential
units could be expected.

Approval of the project could also create increased interest in development of the Drinnen
property. However, the existing access constraints and CC&R limitations on this property
described earlier in this EIR are expected to limit future residential development on this site
to no more than five homes; i.e., an insignificant growth-inducing impact.

r (5) Cumulative Land Use and Open Space Impacts. Successful development of the
r project site could be expected to stimulate increased interest in other similar residential
r development possibilities which may exist in the vicinity. Substantial development
r possibilities immediately surrounding the project site are limited to the Melrose Baptist
r Church site northeast of the Dunsmuir House and Gardens property, which has a maximum
r estimated development potential of 12 units under the current R-10 zoning (site topographic
r and access constraints would probably reduce the feasible development capacity below 12).

r Project-stimulated development of these 12 additional units may result in significant project-
r specific land use compatibility impacts on the Dunsmuir House and Gardens facility and on
r neighborhood quality along Kerrigan Drive and Overmoor Street (approximately 120
r additional vehicular trips per day). The site location is below the ridge and would not
r represent a significant contribution to cumulative ridgeline development impacts. However,
r development of the 21.2-acre property would contribute to significant cumulative open space
r losses in the vicinity. Other foreseeable hillside residential development possibilities of
r substantial scale in the area are concentrated in the Fairmont Hills area. The possibilities
r include the 60-acre San Leandro Rock Company quarry site on Lake Chabot Road where a
r 134-unit residential PUD is currently under consideration (2.3 units per acre),¹ and the 182-
r acre Fairmont Ridge property on Fairmont Drive that was the subject of a 1987-1988
r specific plan formulation effort by the City of San Leandro and Alameda County. That
r specific plan was never adopted by either the city or the county. Negotiations are currently
r ongoing to transfer ownership of the county-owned property to EBMUD as permanent
r watershed and open space. Nevertheless, for conservative impact assessment purposes,
r this EIR assumes that the property could still be developed in the future, and uses the
r development capacity figures in the unadopted 1987 specific plan to estimate this impact.
r Under those unofficial allowances, the property could accommodate 450 units at a gross

r ¹In May 1991, a PUD application for this rock quarry residential proposal was denied by the San
r Leandro Planning Commission. The application denial is currently being appealed to the San
r Leandro City Council.

density of 2.5 units per acre. Development of these two sites, in combination with the 132-acre, 507-unit Dunsmuir project (3.8 units per gross acre), would constitute a *significant adverse cumulative impact* on the local hillside open space resources.

c. Land Use Impact Mitigations

CEQA requires that EIRs distinguish between those mitigation measures proposed by the project proponent to be included as part of the project and other measures that are not proposed by the proponent, but could be expected to reduce significant adverse impacts if required as conditions of project approval. Unless stated otherwise, all mitigation measures identified below are not included in the project and are not proposed by the project proponent.

Mitigation measures are listed below for each identified land use impact. In order to clearly match mitigations with impacts, the mitigation discussion is organized under the same headings as the impact discussion.

(1) Onsite Land Use Impacts. Measures identified to mitigate the various onsite land use and open space impacts identified in this EIR include:

Open Space Impacts: Mitigation measures are identified in the Visual Factors section of this EIR (IV.B.3) that would substantially reduce the visual impact of the project on the site's

hillside open space values. Nevertheless, the project-related direct and indirect impacts on local open space resources would remain significant, unavoidable, and irreversible.

Hillside Development Impacts: Significant adverse geotechnical and biotic impacts that would result from the proposed onsite land use modifications (topographic changes and tree removal), and associated mitigation measures that would reduce these impacts to less than significant levels, are identified in the Geotechnical Factors and Vegetation and Wildlife sections of this EIR (sections IV.D and IV.H).

Impacts on Onsite Easements: Although impacts of the project on onsite easements would be less than significant, provide evidence that EBMUD has agreed to the various easement acquisitions and relocations prior to approval of a Final Map.

(2) Impacts on Local Land Use Character and Surrounding Land Uses. Measures warranted to mitigate identified project impacts on the local land use character and on specific surrounding land uses are listed below:

Impacts on Semi-Rural Character: To mitigate land use impacts on the semi-rural character of the area, eliminate units above the 550-foot contour in subareas A, B, and C (see Figure 28) to avoid those ridge areas of the site that are visible from urban areas of Oakland and San Leandro to the west and southwest, and south Lake Chabot areas to the southeast; reduce densities in these three subareas from approximately eight down to six units per development area acre; relocate the six- and eight-unit townhouse structures from prominent outer development areas to less visible internal areas; and modify the design of the hillside access road to reduce its visual impacts. A project alternative incorporating these mitigations is more fully described and evaluated in the Alternatives section of this EIR (section VI, Alternative D). These mitigations would result in a reduction in the total number of project units from the 507 proposed down to 307. Adoption of this alternative would reduce land use impacts on the semi-rural character of the area to a less than significant level. No measure has been identified that would achieve a comparable level of mitigation without reducing the proposed number of housing units.¹

Impacts on Lake Chabot Municipal Golf Course. To reduce potential impacts on the Lake Chabot Municipal Golf Course, the project should incorporate a solid masonry wall along the

¹Section 21085 of the California Environmental Quality Act Guidelines states that the public agency shall not reduce the proposed number of housing units as a mitigation measure or project alternative "if it determines that there is another specific mitigation measure or project alternative that would provide a comparable level of mitigation." The findings in this EIR indicate that confinement of a 507-unit project on those areas that would not result in a significant visual impact would result in densities of approximately 13 units per acre. Such densities would be inconsistent with the presumed intent of the OCP Suburban Residential designation, and may be difficult to achieve, given the topographic, geographic, and other development constraints presented by the site.

entire length of the shared boundary with the golf course, interrupted by a solid, secured gate at the East Bay Municipal Utility District's access easement to the water tank. The design of this wall and gate should be agreed upon between the developer, the City of Oakland, and the East Bay Municipal Utility District. Construction of this wall would be expected to reduce project visual and security impacts on the golf course to less than significant levels.

Land Use Compatibility Impacts on Nearby Residential Development: No significant land use impacts have been identified; no mitigation measures are required.

Peralta Oaks Drive-Foothill Way R-O-W Private Land Acquisition Impacts: No significant land use impacts have been identified; no mitigations are required.

Dunsmuir House Roadway Entrance Modification Impacts: No significant land use impacts have been identified; no mitigation measures are required.

(3) Project Impacts on the Subregional Land Use and Open Space Pattern. The project would preclude acquisition of the site or its upper ridges as a permanent extension of the existing subregional open space system in the area. This effect would represent a significant, unavoidable open space impact. To reduce the degree of this impact, incorporate the measures identified under (2) above to mitigate project visual impacts on urban areas to the west and southwest, and on Lake Chabot areas to the southeast. However, these measures would not reduce the project open space impact to a less than significant level.

(4) Project Growth-Inducing Land Use Impacts. No significant growth-inducing land use impacts have been identified; no mitigation measures are required.

r (5) Cumulative Land Use and Open Space Impacts. Potential significant project-specific
r land use compatibility impacts of project-stimulated development of the 21.2-acre Melrose
r Baptist Church site would be addressed through the project-specific environmental review
r process required for all such projects.

r Significant cumulative open space losses due to development of the proposed project, plus
r possible future development of the church site, the San Leandro Rock Quarry and Fairmont
r Ridge property, could be reduced through modification of the proposed project, including
r reduction of the project development area in order to preserve the site's most visually
r prominent open space features, and through placement of similar future limitations on
r development of the Fairmont Ridge and quarry sites. These measures would not reduce
related cumulative open space impacts to non-significant levels, however. These cumulative
open space impacts would be unavoidable with approval of development on the three sites.

2. POPULATION AND HOUSING

a. Setting

The project is located near the southern boundary of the City of Oakland in northwestern Alameda County. The City of San Leandro is immediately to the south; the City of Berkeley is to the north. Table 5 illustrates recent and projected population and household growth trends in these three East Bay cities and the county as a whole for 1980 through the year 2000. The table indicates that the county population has increased by approximately 13.7 percent between 1980 and 1990; the City of Oakland population has increased by approximately 6.1 percent during the same period. The projected future 1990 to 2000 increases for the county as a whole and the City of Oakland are approximately 8.2 and 2.3 percent, respectively.

Substantial job growth is also expected to occur in the Oakland-Alameda corridor area over the next ten years. Most of this job growth is expected to occur near the airport, in the Harbor Bay Isle Business Park, and in downtown Oakland.¹

ABAG indicates that projected housing demands in the Oakland-Alameda corridor are expected to continue to exceed supply, resulting in a continuing housing deficit, particularly in the northern part of the county. ABAG also states that the deficit is large enough "to imply that every effort should be made by northern Alameda County communities to plan additional housing."²

b. Project Impacts

(1) Housing Impacts. The project sponsor proposes 507 units in a variety of housing types, sizes, and prices to attract a wide range of buyers. Project housing selling prices have not been firmly established as of this writing. The housing affordability analysis contained later in this section and the fiscal analysis in section IV.G.8 of this EIR are based in part on the conservative³ assumption by the EIR authors that the selling price of project homes would range from approximately \$180,000 (for the smallest eight-plex townhouse unit) to approximately \$400,000 (for the larger custom houses) in 1990 dollars. These selling price estimates are preliminary and are based on contacts with local realtors, and comparison with comparable home sales in the region. Based on comparable recent projects in the subregion, prices for the smaller units could reach \$210,000 or more, and prices for the custom homes could reach \$675,000 or more.

¹ABAG Projections '87, July 1987; page 73.

²Ibid.

³The estimates are conservatively low to provide conservative fiscal analysis results later in this EIR.

Table 5
LOCAL POPULATION AND HOUSING TRENDS--RECENT AND PROJECTED

	<u>1980</u>	<u>1985</u>	<u>1990</u>	<u>1995</u>	<u>2000</u>
<i>Oakland</i>					
Population	339,337	356,000	360,000	365,400	368,200
Households	141,657	145,780	148,720	152,840	156,230
<i>San Leandro</i>					
Population	79,434	82,900	84,300	86,800	89,400
Households	33,635	35,080	36,490	38,180	39,710
<i>Berkeley</i>					
Population	103,328	107,700	107,000	104,100	102,500
Households	44,704	45,240	45,580	45,900	46,140
<i>Alameda County</i>					
Population	1,105,379	1,191,450	1,256,650	1,313,450	1,360,300
Households	426,092	451,750	480,930	511,390	539,320

SOURCE: ABAG Regional Economic-Demographic Information System, July 1987

Project relationships to local and regional housing needs by affordability category are addressed later in this chapter under 3. PROJECT RELATIONSHIP TO LOCAL AND REGIONAL PLANS.

The project would add 507 units to the City of Oakland's 1990-1995 housing stock. Table 5 indicates a projected 1990-1995 increase of 4,120 households for the city and 30,460 for the county. Based on this figure, the project would be equal to roughly 12 percent of the ABAG-projected Oakland household increase between 1990 and 1995 and 1.7 percent of the ABAG-projected Alameda County household between 1990 and 1995. This increase in housing stock would be expected to have a beneficial impact in meeting ABAG-projected housing needs in the Oakland-Alameda corridor.

(2) Population Impacts. Estimated project population characteristics are listed in Table 6. As shown, the project would be expected to account for approximately 1,400 of the city's 1995 population of 360,000 people. Based on these figures, the project would also account for approximately 26 percent of Oakland's projected 1990-1995 population increase. Because the overall city population increase is projected to be relatively low in comparison to the county growth rate, this project effect would not constitute a significant demographic impact.

(3) Impacts on Below-Market-Rate Housing Opportunities. The project as proposed includes no provisions for below-market-rate housing. Development of virtually any vacant residentially designated parcel of land in the city with uses other than below-market-rate housing reduces the total amount of land in Oakland for such use, thereby limiting the opportunity to meet the related ABAG Housing Needs Determination Goals (see section IV.A.4 below). Approximately 1,500 acres of large, residentially zoned parcels of land were identified as vacant in the city in a 1986 inventory.¹ While not all of this land remains undeveloped, elimination of this 132-acre site from the land available for possible below-market-rate housing development would not represent a significant environmental impact.

c. Population and Housing Mitigation Measures

No significant impacts have been identified; no mitigation is required.

¹City of Oakland, Housing, An Element of the Oakland Comprehensive Plan, March 4, 1986, p. 68.

Table 6
PROJECT POPULATION

<u>Housing Type</u>	<u>Average Persons/Unit</u>	<u>Total Units</u>	<u>Total Population</u>
Single-Family Detached			
Production Homes	3.5	244	854
Custom Homes	4.0	<u>13</u>	<u>52</u>
Subtotals		257	906
Townhouses (six- and eight-plex units)	2.0	<u>250</u>	<u>500</u>
TOTALS		507	1,406

SOURCE: Wagstaff and Associates

3. PROJECT RELATIONSHIP TO ADOPTED LOCAL AND REGIONAL PLANS (LAND USE AND HOUSING)

a. Oakland Comprehensive Plan

The project site is located within the incorporated boundary of the City of Oakland and is therefore subject to the land use and housing policies set forth in the Oakland Comprehensive Plan.

Relevant land use and housing policies are listed in the Oakland Policy Plan,¹ a component of the Oakland Comprehensive Plan (OCP), and in the *Land Use Element*² and the *Housing Element*³ components of the Oakland Comprehensive Plan. The Oakland Policy Plan is the city's "comprehensive statement of basic goals and policies,"⁴ listing the basic policy foundations for the various elements of the OCP.

¹City of Oakland, Oakland Policy Plan, a Component of the Comprehensive Plan, October 24, 1972, Amended September 1980.

²City of Oakland, Land Use, An Element of the Oakland Comprehensive Plan, April 29, 1980.

³City of Oakland, Housing, An Element of the Oakland Comprehensive Plan, March 4, 1986.

⁴Oakland Policy Plan, p. A-1.

The city will require that all new housing, including publicly assisted housing, have the qualities and amenities that will assure that it remains a positive asset to Oakland's housing stock. (*Housing Element*, p. 29)

The project would be partially consistent with this policy given the following factors: (1) the project would provide a variety of housing types (townhouses, single-family production homes, single-family custom homes); (2) half of the site would be preserved as open space; and (3) the units would be constructed in conformance with the Uniform Building Code. The primary factor that makes the project partially inconsistent with this policy is that the project would not provide 2.5 acres of public park or recreational use per 1,000 residents as called for in the Oakland Policy Plan.

The project could be modified to be consistent with this policy if the project provided 3.5 acres of public park or recreational use (or the equivalent cost thereof).

The city will work with private developers to include a reasonable percentage of housing units affordable by low-to-moderate income households within all future developments. (*Housing Element*, p. 38)

At this preliminary project planning phase, no negotiations have been initiated between the project sponsor and the city with respect to inclusion of units affordable to low-to-moderate income households and none are included as part of the project.

The city will cooperate with private housing producers wherever justifiable to reduce the overall cost of housing units. (*Housing Element*, p. 78)

Same as above.

The city encourages developers to construct a range of housing types, sizes, and prices proportionate to the household size and income characteristics of Oakland's present and projected population. (*Housing Element*, p. 77)

The project proposes a variety of housing types, sizes, and prices to attract a wide range of buyers. The 507-unit residential development would include 51 percent detached single-family homes and 49 percent townhouse units. It is anticipated that the number of bedrooms would range from two to four per unit.

The estimated project home prices would not be proportionate to household incomes in Oakland. The project homes would be affordable only to households with above-moderate incomes. It is estimated that the least expensive unit would be approximately \$180,000 (in 1990 dollars). The household income required to afford the least expensive unit would be approximately \$59,000 per year. (Please refer to the table entitled "Housing Affordability Worksheet: Lender Perspective" in Appendix B of this EIR for factors used to make this determination.) An income of \$59,000 per year is considered higher than moderate income, based on the estimated 1990 median income for the Oakland Primary Metropolitan Statistical Area (PMSA) of \$44,100 (U.S. Department of Housing and Urban Development, January 2, 1990). Moderate income, which is defined as 81 to 120 percent of the median, would be approximately \$35,720 to \$52,920. Therefore, the project would not promote this policy.

The project would have to be modified to promote this policy by providing some units selling for no more than approximately \$171,250. Such units would be affordable to a moderate income household in the Oakland PMSA.

The city supports the production and conservation of sufficient numbers of assisted and market-rate housing units to meet the needs of Oakland's large families (*Housing Element*, p. 79)

The city encourages appropriate mixtures of different dwelling types within planned unit developments in the hills. (Oakland Policy Plan, p. H-8)

The project would promote this policy by providing 257 market-rate single-family detached homes that would contain three to four bedrooms per unit.

As previously discussed, the hillside project proposes to construct a variety of both single-family and townhouse designs in a PUD configuration, an approach that is consistent with this policy.

(3) Hillside Development Policies. Due to the location of the project in the south Oakland hills and concern about preserving the semi-rural character of the hills¹, the OCP describes a set of city policies for hillside development. The most pertinent of these policies and project relationships are summarized below:

Hillside Development Policy

Urban development wherever it occurs should be related sensitively to the natural setting, with the scale and intensity of development in each case bearing a reasonable relationship to the physical characteristics of the site. (Oakland Policy Plan, p. H-1)

Project Relationship

The project would involve substantial modification of the site's upper hillsides and ridges. The project design would require extensive cut and fill of hillside land (up to 1,000,000 cubic yards), and removal of approximately 1,736 mature oak and bay trees to accommodate the proposed residential areas and access road. The project would not be consistent with this policy. The project could be modified to improve consistency with this policy if mitigation measures identified in section IV.B.3 of this EIR to reduce project ridgeline residential and hillside access road visual impacts. However, project hillside access road visual impacts would remain significant.

Except where adequate corrective measures can feasibly be taken, construction should not occur over known faults or on land subject to landslide, erosion, or flooding. The city will make efforts to obtain more information about such hazardous areas and will consider the imposition of additional controls on development there. (Oakland Policy Plan, pp. H-1 to H-2)

The Geotechnical Factors section of this EIR (IV.D.4.a) indicates that the project access road would cross the Hayward fault, a known active fault, and suggests that portions of the project constructed on filled upper ravine areas may be unstable. Therefore, the project would not be consistent with this policy.

The project could be modified to achieve consistency with this policy if mitigation measures identified in section IV.D.5 of this EIR to address these fault and slope instability aspects were implemented.

¹Land Use Element, p. 31.

In all development and construction in the Hills (those areas located generally along and northeast of Mountain Boulevard) special efforts should be made to conserve open space and natural resources. Every development which occurs here on a site of substantial size should reserve the most appropriate portions as permanent open space, and these should generally add up to a significant proportion of the site. (Oakland Policy Plan, p. H-2)

Although the project is located south of the primary area of policy concern, the project is consistent with this city policy in that 66 acres or 50 percent of the site would be retained as privately owned open space. Most of the reserved acreage would consist of visually and ecologically sensitive slopes. On the other hand, project grading and construction patterns would require the removal of approximately 1,795 mature oak and bay trees. In addition, the proposed placement of homes on the most visually prominent edges of the site's knolls and ridges would be inconsistent with the objective to reserve "the most appropriate portions as permanent open space." The project would result in the filling of a portion of an existing ephemeral stream, thus partially destroying a natural resource. The project would substantially reduce the site's natural habitat value for native species of vegetation and wildlife.

Implementation of the following mitigation measures identified in this EIR would be necessary to improve project consistency with Oakland Policy Plan policies calling for reservation of "the most appropriate portions [of developments in the hills] as permanent open space":

Measures identified in section IV.B.3 calling for eliminating project home construction for the most prominent edges of the site's knolls and ridges;

Measures identified in section IV.B.3 calling to reduce the visual impacts of project hillside access road construction;

Measures identified in section IV.H.3 to mitigate project woodland loss impacts; and

r
r
r

Measures identified in section IV.H.3 to mitigate project impacts on the intermittent creek in the southwest portion of the site.

Development on slopes of 15 to 30 percent should generally be designed with special attention to controlling runoff and erosion and to preserving the natural topography as much as possible. Cuts and fills and the removal of desirable vegetation should be minimized. (Oakland Policy Plan, p. H-2)

The project involves development on slopes of 15 to 30 percent or greater, as explained in the Geotechnical Factors section of this EIR. The project proposes use of split-level home types and natural-appearing surface shapes in the project grading plan, as opposed to a more terraced grading approach. Nevertheless, the degree of cut-and-fill (up to one million cubic feet) and vegetation removal that would be required

The removal of large live trees, wherever they occur, should be avoided for desirable species of trees. (Oakland Policy Plan, p. J-6)

The project tree removal impacts described in section IV.H.2 of this EIR would be inconsistent with this policy.

Tree removal mitigation measures described in section IV.H.3 of this EIR would substantially reduce project tree removal impacts. Nevertheless, even with the proposed mitigations, approximately 951 trees would be lost, including "large live trees." These losses would be inconsistent with OCP policy.

Extensive tree planting programs should take place in most residential and commercial areas. (Oakland Policy Plan, p. J-6)

The project preliminary landscaping provisions include extensive onsite tree planting (see section III.C.9 of this EIR). This proposal would make the project partially consistent with this policy.

If the project were modified to incorporate the tree replacement planting measures identified in section IV.H.3 of this EIR, the project would comply with this OCP policy.

Wherever practicable, landscaping should include use of native plant species. (Oakland Policy Plan, p. J-6)

The project would be partially consistent with this policy: the preliminary landscaping provisions include planting of both native and non-native species (see section III.C.9 of this EIR).

Mitigation measures described in section IV.H.3.a of this EIR would increase project consistency with this OCP policy.

(5) Other Related OCP Policies. In addition to the various land-use-related policies listed above, the OCP also contains policies relating to circulation that are pertinent to the proposed project. The Transportation section (Section IV.C. of this report) discusses project consistency with relevant local circulation policies. In particular, the city's *1985 Trafficways Map* shows a public, through-collector street traversing the site, and a General Plan Amendment would therefore be needed to allow the private, non-through street system proposed by the project sponsor.

Other OCP policies pertinent to the proposed project include policies on drainage, noise, water service, fire hazards, and vegetation and wildlife values. Detailed discussions of the project's consistency with these policies are included in related EIR sections IV.E. (drainage), IV.F. (noise), IV.G. (water service and fire hazards), and IV.H. (vegetation and wildlife) of this EIR.

b. Peralta Oaks Area Plan

The city's Peralta Oaks Area Plan calls for both a north entrance and a south entrance to the Dunsmuir House and Gardens facility. The plan map¹ shows an extension of Peralta Oaks Drive southward to meet with Covington Drive. The plan map, however, does not show any connection of Peralta Oaks Drive with Foothill Way.

At this time, the Peralta Oaks Plan has not been fully implemented. The project offsite infrastructure improvements proposed as part of the Dunsmuir Heights residential project would serve to implement certain portions of the plan, including the establishment of the south entrance to the Dunsmuir House and Gardens facility and the extension of Peralta Oaks Drive southward.

c. City of San Leandro General Plan

By law, the Draft San Leandro General Plan policies are not applicable to the Dunsmuir Heights residential development because the proposed project lies entirely within the City of Oakland. However, given the location of the Dunsmuir Heights project site at the southeastern Oakland city boundary within 50 feet of the San Leandro city boundary, consideration of the project should include its compatibility with adjacent land uses and associated relevant policies of the City of San Leandro.

(1) San Leandro Land Use Categories. San Leandro's General Plan *Land Use Element*² divides that city into three broad land use categories, based on different levels of certainty for future land use change. The three categories are "no change," "trend change," and "major change" areas.

No Change areas of San Leandro are defined in the plan as those not likely to change much in the next 10 to 15 years. Most of the portion of San Leandro in the project vicinity is classified as a "no change" area. "No change" areas are usually comprised of stable single-family neighborhoods and neighborhood-serving shopping areas. In these areas, significant residential concerns cited in the plan include protection from traffic intrusion, effective public safety, and maintenance of property values.

¹City of Oakland, Peralta Oaks Plan, October 1963, p. 10.

²City of San Leandro, Draft San Leandro General Plan, March 14, 1988.

Trend Change areas are defined in the plan as those locales in San Leandro that are undergoing transitions in land use. In the project vicinity, the strip commercial segment along MacArthur Boulevard is considered a "trend change" area. The primary concern cited in the plan in regard to such areas is the need to maintain and enhance strip commercial areas and adjacent residential neighborhoods.

Major Change areas in San Leandro are those significant, currently undeveloped, acreages that could be developed in the future. In the project vicinity, the abandoned San Leandro Rock Company Quarry site (see Figure 1) is designated as a "major change" area. The abandoned quarry consists of approximately 60 hillside acres accessible from Lake Chabot Road. At present there is a planned unit development proposal (PD-89-10) being formulated for the quarry site that would yield 134 detached single-family homes, at a gross density of 2.28 units per acre.

(2) Project Compatibility with San Leandro Land Use Policies. Although the proposed Dunsmuir Heights project would not be subject to City of San Leandro land use policies, the land use characteristics of the project nevertheless appear to be physically compatible with the nearby San Leandro land use categories described above. Project residential development would not be expected to have any significant direct land use impacts on San Leandro's "no change" residential areas south and west of the project.

With respect to traffic and noise impacts in San Leandro, the proposed project entry road would lead directly to a collector street (the proposed Foothill Way-Peralta Oaks extension), which in turn would lead to local area arterials (Foothill Boulevard, MacArthur Boulevard, etc.) and the I-580 freeway. The Transportation section of this EIR identifies a significant adverse project impact on the Estudillo Avenue/MacArthur Boulevard intersection in San Leandro, which is located in the MacArthur Boulevard "trend change" area. The project could be expected to have a beneficial economic impact on commercial activity in the MacArthur Boulevard "trend change" area. The Dunsmuir Heights homeowners could be expected to use neighborhood-serving strip commercial developments along MacArthur Boulevard for some of their convenience shopping needs.

Dunsmuir Heights project relationships to other, broader San Leandro General Plan land use policies are described below (policies in italics):

- *The compatibility of new development with existing adjacent developments should be considered.* As described above, the project would be generally compatible physically with existing development in nearby San Leandro. Project impacts on views from San Leandro vantage points are described in section IV.B.2 of this EIR. Project impacts on traffic and noise levels along affected San Leandro routes are described in sections IV.C.2 and IV.F.2 of this EIR.
- *Proposed development should fully provide adequate parking, loading, access, and onsite public facilities, and provide for improvement of onsite and offsite public facilities.* The Transportation and Municipal Services chapters of this EIR (IV.C and IV.G) identify significant adverse project impacts on transportation and park facilities in San Leandro, and identify mitigation measures that could reduce these impacts to less than significant levels.
- *Adequate open space and recreation facilities should be provided in new residential developments.* The Municipal Services section (IV.G) of this EIR identifies possible adverse project impacts on recreation and park facilities in San Leandro, and identifies mitigation measures that would reduce these impacts to insignificant levels.
- *A range of housing types should be provided.* The project proposes a range of housing types, as described in section III.C.3 of this EIR.

d. City of Oakland Zoning and Planned Unit Development Regulations

(1) R-30 Zoning. City zoning designations for the project vicinity are shown on Figure 24. The majority of the local area, including most of the project site, is designated as R-30: One-Family Residential. Approximately 129.8 acres of the 132-acre project site (98 percent) are within this R-30 designation. Comparison of the illustrative project site plan and the local zoning diagram (Figures 7 and 24) indicate that 500 dwelling units would be located within the R-30 portion of the site, with a corresponding density of approximately 3.9 units

the project to provide housing affordable to moderate income households, units would have to sell for \$171,250 or less. Please refer to section 4.a(2) in this chapter for a detailed discussion of housing affordability

(2) Other ABAG Housing Policies. The housing needs determinations in Tables 7 and 8 have been estimated based on consideration of a number of objectives and policies set forth in ABAG's San Francisco Bay Area Regional Plan, including the basic goal of increasing housing supplies in accord with regional needs, and the policy of maintaining a subregional balance between housing and jobs. The ABAG regional plan states that "new residential development should be located in or near areas that offer employment opportunities and should be discouraged elsewhere."

To meet these housing goals, the ABAG regional plan includes numerous housing policies pertinent to consideration of the Dunsmuir Heights project. The ABAG plan calls for stimulating private housing development, consistent with local and regional policies, needs, and goals; increased residential densities where practical; and housing construction sufficient to produce vacancy rates that will increase housing choice and check the rate of housing price inflation. The plan also promotes the "infill" development concept, encouraging new residential development where public services and facilities are adequate.

Other pertinent ABAG policies include preservation of community values and a safe, healthy environment; discouragement of new development in areas containing environmental hazards, unless adequate mitigation is taken; and location of new housing close to commercial services and jobs in order to promote easy access.

An ABAG policy document entitled A Proposed Land Use Policy Framework for the San Francisco Bay Area was adopted by ABAG in July of 1990. The purpose of the policy framework is to encourage "a city centered concept of urban development with balanced growth guided primarily into or around existing communities while preserving surrounding open space." There are six policies supported by action statements that address the same basic goals as the policies in ABAG's 1980 San Francisco Bay Area Regional Plan.

The Dunsmuir Heights project is consistent with, and would further, most of the ABAG housing goals and policies summarized above. The project would increase the local housing supply by 507 units, representing approximately 5.7 percent of the projected 1988-1995 need for new housing in Oakland (Table 7). Assuming that the units would be affordable only to above-moderate-income households, the project would represent approximately 17.3 percent of the projected need for housing affordable to the above-moderate income category (Table 8). The project as currently described would not be expected to have a direct impact on meeting the very low, low, and moderate income needs categories in Table 8, although the 507-unit addition to the Oakland housing stock could have an indirect, positive, "trickle-down" effect on other housing needs categories by increasing local housing supply. In order for the project to provide housing affordable to

moderate income households, prices for some units would have to sell for approximately \$171,250 or less.

In a regional context, the project is located close to job centers and commercial services, and is in an area where road, sewer, water, fire, and police services already exist and are generally adequate. On the other hand, the Transportation and Municipal Services sections of this EIR identify some project-related public service inadequacies, including road system constraints, school deficiencies, and substandard emergency response times that could be inconsistent with ABAG "infill" policies. Implementation of measures identified in the Transportation and Municipal Services sections of this EIR (IV.C.4 and 5, and IV.G) to mitigate project-related public service inadequacies (road system constraints, school deficiencies, and substandard emergency response times) would be necessary to achieve project consistency with ABAG "infill" policies.

This EIR also describes possible visual, grading, seismic, and slope stability impacts that could be inconsistent with the ABAG policies calling for preservation of community values and avoidance of environmental hazards. In order for the project to be consistent with ABAG's policies calling for preservation of community values and avoidance of environmental hazards, implementation of the mitigations identified to reduce or eliminate significant impacts in the following sections of this EIR would be necessary: Visual Factors (IV.B.3) and Geotechnical and Grading Factors (IV.D.3).

b. Metropolitan Transportation Commission

The Regional Transportation Plan adopted by the Metropolitan Transportation Commission (MTC) in 1980 represents the transportation component of the ABAG Regional Plan. The plan calls for more efficient use of existing public transportation facilities as an alternative to construction of new facilities, and improvement of public transit alternatives to auto use, particularly during peak commute hours. The MTC plan also calls for giving more priority to pedestrian and bicycle modes. The degree of separation and elevation change between the Dunsmuir Heights project residential areas and the existing system of arterial and transit routes below (Marlow, MacArthur, Foothill) would not be conducive to heavy use of alternative transportation modes by project residents (transit, pedestrian, bicycle, etc.).

Rather, the project configuration would require heavy reliance on the automobile and would not promote Regional Transportation plan policies. Implementation of mitigation measures included in the Transportation section (IV.C.4) to improve transit, bicycle, and pedestrian choices for project residents, including a through-connection to Golf Links Road, would make the project more consistent with related MTC policies.

c. Bay Area Air Quality Management District

Bay Area Air Quality Management District (BAAQMD) policies set forth in the District's 1979 Bay Area Air Quality Plan call for consideration of traffic-related air quality impacts in the review of residential developments such as the Dunsmuir Heights project. Specifically, the

District calls for such air quality effects to be analyzed in the environmental impact reports on such projects, subject to BAAQMD review. The air quality section of this EIR (IV.I) includes an analysis of air quality impacts. Although this EIR identifies mitigation measures to reduce air quality impacts, project contributions to significant cumulative regional air quality degradation would constitute an unavoidable adverse impact that could not be fully mitigated.

r h. San Francisco Regional Water Quality Control Board

The San Francisco Regional Water Quality Control Board has adopted a 1980 Bay Area Water Quality Management Plan for protecting the water quality of regional streams, lakes, and San Francisco Bay. The Dunsmuir Heights project would be of concern to the agency primarily with respect to possible changes in the quality of surface runoff from the project site due to project grading and vegetation removal, and the introduction of additional urban surface runoff. Associated project impacts on San Leandro Creek (siltation, increased stream turbidity, urban runoff pollutants) and related mitigation measures which would reduce these impacts to less than significant levels are described in section IV.E of this EIR.

r i. East Bay Regional Parks District

r The East Bay Regional Parks District (EBRPD) has no adopted plans that address the
r Dunsmuir Heights site directly. However, the District has made general reference in its
r 1989 Master Plan that the various EBRPD parklands shown in the plan "may be expanded."
r In addition, the passage of Measure AA in November of 1988 included an allocation of \$8.6
r million for open space acquisition along the west boundary of Chabot Regional Park.
r Community open space advocates have suggested that with the recent passage of
r Measure K by the citizens of Oakland (see page 126 of this RDEIR), there may be a
r possibility of a joint City/EBRPD open space acquisition program which could include all or
r a portion of the Dunsmuir Heights site.

r In addition, the District has expressed concern about the visibility of the project from the
trails and lake area of Anthony Chabot Regional Park, including portions of Fairmont Ridge
above San Leandro that have recently been added to Anthony Chabot Regional Park.¹
Sections IV.B.2 and 3 include a discussion of project impacts on these park views, and
identifies related mitigation measures, including various levels of residential development
area reductions to reduce or eliminate views of project homes from these park vantage
points, as well as landscaping measures to reduce the degree of visual impact.

¹February 24, 1989 letter from T.H. Lindenmeyer, Environmental Specialist, East Bay Regional Park District, to Willie Yee, Associate Planner, City of Oakland.

B. VISUAL FACTORS

The south Oakland hills form a distinctive visual backdrop to the eastern edge of the cities of Oakland and San Leandro. The undeveloped project site currently represents a distinctive scenic component of these hills. Portions of the site ridgetop can also be seen from Lake Chabot and Anthony Chabot Regional Park. Concerns have been raised regarding the visual impacts of the project on the hilly backdrop as seen from adjacent and nearby Oakland and San Leandro neighborhoods, from I-580, and from Anthony Chabot Regional Park. Specific concerns include: (1) The visual impacts of the proposed hilltop residential development areas, including proposed densities and building forms, and associated grading and tree removal; (2) the visual impacts of the proposed hillside access road, including associated grading and tree removal; and (3) the visual impacts of the various offsite actions that would be necessary to accommodate the project (roadway extensions, etc.).

1. SETTING

a. General Character of the Site and Its Environs

As shown on Figure 3 in section III of this EIR (the aerial photo), the site represents one of the few substantial remaining undeveloped, residentially-zoned properties in the south Oakland Hills. The property consists of 132 acres of rolling hilltop and hillside terrain, rising up to the Oakland Municipal Golf Course. Elevations range from approximately 100 feet at the point nearest I-580 to 658 feet atop the central knoll. The relationship of the site to the topography of the surrounding vicinity is illustrated on Figure 4 in section III. Topographic and vegetative characteristics of the site itself are diagrammed on Figures 5 and 6 in section III.

As illustrated on Figures 4 and 5, the upper reaches of the site include a large central knoll (ridgetop elevations ranging between approximately 651 and 658 feet), and a secondary knoll in the northeast portion (560-foot hilltop elevations). Wooded side canyons and draws flank the knolls and ridges. Over half of the site consists of slopes of 30 percent or greater in steepness, as shown on Figure 6.

The site's hilltop area is separated from the Sheffield Village neighborhood below by steep slopes and cuts, and from the Chabot Park Highlands neighborhood to the north by a heavily wooded ravine (the Drinnen property).

neighborhoods to the west and southwest. The uppermost ridges of the site are also visible from portions of Anthony Chabot Regional Park. Dominant site visual features in these views include the areas of oak woodland and sage shrub that cover roughly 30 percent of the property (see Figures 3 and 5 in section III). The woodland elements range in character from scattered individual oaks on the hillsides to dense oak groves in the ravines and side canyons. There are also occasional bay and buckeye. Sage scrub is scattered throughout the site (about 18 percent of the property), particularly on the northern and southern slopes of the Central Subarea (refer to Figure 10). A grove of eucalyptus trees also exists on the southwestern portion of the site. The canyon that has been formed by the intermittent creek in the southeast portion of the site represents another visual asset that is visible from viewpoints to the west.

b. Site Vulnerabilities to Visual Impact

Figure 25 diagrams site visual features and visual vulnerabilities that will be major determinants of project visual impacts. The diagram shows the portion of the site that is subject to the greatest visual impacts from grading, tree removal, and urban development.

Areas of High Vulnerability to Visual Impact: Areas of the site identified on Figure 25 as highly vulnerable to visual impact if developed are those portions that are prominent background components in panoramic views from I-580, the Sheffield Village subdivision, the Bancroft Avenue/Dutton Avenue area of San Leandro immediately west of I-580, the Bay-O-Vista subdivision in nearby San Leandro, and the Lake Chabot area of Anthony Chabot Regional Park. The boundary of this high visual vulnerability area has been approximated based upon field evaluations, analysis of topographic information, and study of related view photographs.

Areas of Limited Vulnerability Visual Impact: Areas identified on Figure 25 as having limited vulnerability to visual impact if developed include those areas that are visible from a limited number of homes and street segments in the Chabot Park Highlands neighborhood, from various vantage points on the Lake Chabot Municipal Golf Course and adjacent EBMUD watershed lands, but not from the freeway, other major local routes, or neighborhood vantage points in greater Oakland or San Leandro.

c. Surrounding Views of the Site

The project site can be seen from many surrounding vantage points. To depict typical views from surrounding areas, photographs taken from nine typical vantage points have been selected as highly representative of the site's visual significance. These representative vantage points are mapped on Figures 26 and 27. Photographs corresponding to each view are shown on the pages following the viewpoint maps. Each of the nine representative views is described below (the numbers correspond to the photograph numbers):

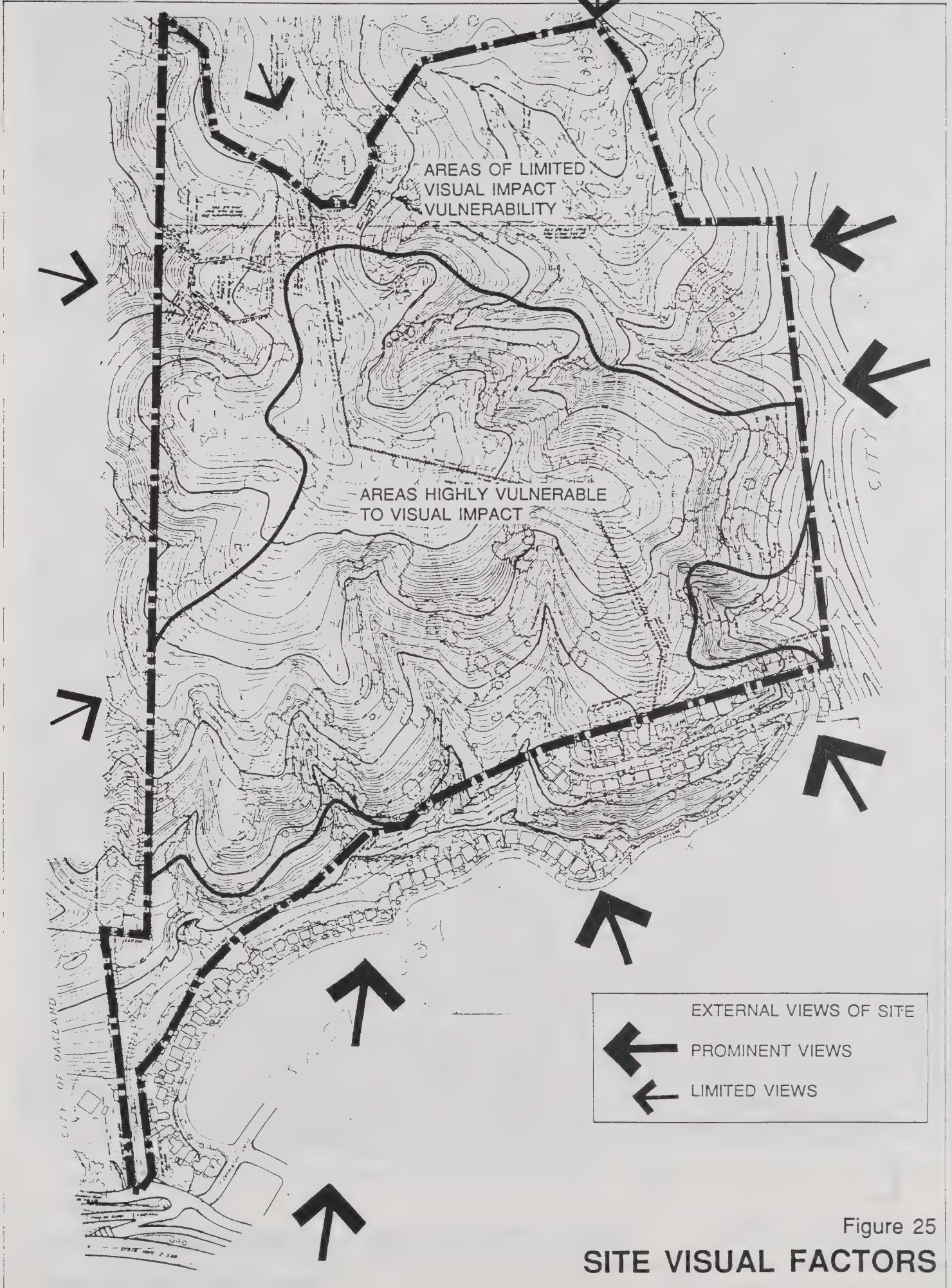


Figure 25
SITE VISUAL FACTORS



north

0 500 1000 1500
feet

SELECTED SURROUNDING VIEWPOINTS

Figure 26

Dunsmuir Heights Oakland, California

(1) Views from I-580. The site's western slopes, its wooded draws, and the western and southwestern edges of its primary ridgeline, are prominently visible from I-580, and are conspicuous open space components amidst the predominantly urban landscape along the east side of the I-580 segment between the Foothill Boulevard/106th Avenue/I-580 street interchange approximately one-half mile to the north and the Grand Avenue/I-580 overcrossing (approximately 2 miles to the south).

(2) and (3) Views from Sheffield Village. The site's west and southwest-facing slopes and upper ridges, and its related woodland areas, also provide a prominent and scenic hillside backdrop for Sheffield Village. The undeveloped, wooded hillsides are visible from homes, yards, sidewalks, and streets throughout Sheffield Village and represent a distinctive identity and amenity factor for the neighborhood. Viewpoint #2 is located in Sheffield Village on Covington Street near Marlow Drive; viewpoint #3 is located on Revere Avenue.

(4) and (5) Views from the Bancroft Avenue/Dutton Avenue Area. The hillside project site provides a distinctive and scenic skyline backdrop for numerous vantage points in San Leandro residential and commercial neighborhoods on the opposite (west) side of I-580; i.e., the Bancroft Avenue/Dutton Avenue area. The site is particularly visible as an eastern vista along east-west oriented streets in this area (Dutton Avenue, Dowling Boulevard, Helen Avenue, Alice Avenue, etc.). Photos #4 and #5 are two representative Bancroft/Dutton area viewpoints. Photo #4 is taken from Dutton Boulevard near Fortuna Avenue (1.5 blocks from the freeway); photo #5 is from Dowling Boulevard near Kenilworth Avenue.

(6) Views from the Chabot Park Highlands Neighborhood. Views of the project site from Chabot Park Highlands to the north and from adjacent hillside neighborhoods of Oakland are limited to small portions of the site's central knoll from fewer than 10 homes located on the southern slopes of this residential area. Viewpoint #6 is located at Cliffland Avenue looking south down Kerrigan Drive towards the site. The wooded knoll to the left in the photograph is the "central knoll" on Figure 5.

(7) Views from the Bay-O-Vista Neighborhood. The northern slopes of the hillside Bay-O-Vista subdivision south of the project in San Leandro provide numerous vantage points of the project site. The site's central and secondary knolls are prominent natural elements in northerly views from numerous streets and homes in Bay-O-Vista. Viewpoint #7, located on Sandelin Avenue near Parker Street, is representative of the prominence of the project site's ridges and southern hillsides as seen from numerous Bay-O-Vista viewpoints.

(8) and (9) Views from Anthony Chabot Regional Park and Castro Valley. Portions of the project site are also visible from the southern end of Anthony Chabot Regional Park, the most heavily used area of that facility. Vistas north toward the project site from the southern shoreline of Lake Chabot include views of the site's uppermost ridge, including the prominent central knoll and the east-facing slope leading up the knoll. The view of the site ridgeline from this south lake is framed by the intermediate hillsides surrounding the lake itself.

r Viewpoint #8 is located approximately 4,600 feet from the project along the east shore trail (the perimeter trail around the lake) just north of the marina and boathouse facility. The
r East Shore Trail is one of the most heavily used facilities in the park. If the Fairmont Ridge
r property (to the left in photo 8) is acquired from its owner, Alameda County, as permanent
r open space (negotiations were continuing as of this writing), the project site's upper ridge
r would remain the only significant component of this panoramic view that remains in private
r ownership. There are no perceptible structural or urban elements in the panoramic
r landscape surrounding the lake as viewed from this East Shore Trail segment and the
r marina area, with the minor exceptions of limited views to the southeast of two to five
homes in the Lake Chabot Road/Aylesbury Court area of Castro Valley, occasional views to
the north of the EBMUD Peralta water tank in the distance above the project site, glimpses
to the west of the Lake Chabot Road cut above the lake, and views of nearby power
transmission towers.

r Park vantage points with views of the project would be primarily limited to the trail segments
r and the marina area at the south portion of the lake. The remainder of the park includes
r extensive additional trails from which the project site cannot be seen. The San Leandro
r Rock Quarry site on the north slope of Fairmont Ridge is visible from the park's West Shore
r Trail. A proposal to develop that site with a 137-unit PUD project was recently denied by
r the San Leandro Planning Commission, and is currently (May 1991) being appealed to the
r San Leandro City Council. A few homes in the Bay-O-Vista neighborhood of San Leandro
r area visible from the Bass Cove and Columbine trails.

r Viewpoint #9 is located approximately 6,000 feet from the project south of the Anthony
Chabot Regional Park entrance at the Lake Chabot Road/Carlton Avenue intersection in
Castro Valley. The uppermost central ridge of the project site is visible from a limited
number of viewpoints in this area, including occasional glimpsed views from Lake Chabot
Road through the roadside forest along the southwest edge of the lake, from the short open
segment of Lake Chabot Road between Fairmont Drive and Brookdale Boulevard, and from
approximately 15 to 18 homes along Aylesburg Court near the Carlton Avenue/Lake Chabot
Road intersection on the west edge of Castro Valley.

d. Views from Within the Site

The upper hillsides and ridges of the project site provide spectacular panoramic views of
surrounding areas. Long distance panoramas to the west include dramatic overviews of
Oakland, San Leandro, Bay Farm Island, Alameda, and San Francisco Bay. Shorter
distance panoramas to the north, east, and south include areas of Chabot Park Highlands,
r the hill forms separating the site from the Lake Chabot Municipal Golf Course, and East
Bay Municipal Utility District watershed lands to the south.

introduced plantings would include informal clusters of slower-growing valley oak, interplanted with faster growing red ironbark and desert gum eucalyptus. (A stated objective of the project landscaping plan is to balance view screening needs with habitat value enhancement and water conservation needs.)¹

If such a planting program is effectively implemented, the screening effects of the faster-growing species could be realized in from five to ten years. With maturity, the proposed landscape screening would substantially soften and reduce the visual impact of the residential tiers and the main access road, but would not be expected to reduce these project impacts on the character of the site as viewed from offsite vantage points to less than significant levels. In the interim period of at least five years, the project visual impact on these vantage points would be particularly stark and significant. Also, the desire of the project applicant, and eventually the project homeowners, to protect project panoramic views to the west for the new units can be expected to limit the degree and effectiveness of the proposed vegetative screening.

Project visual impacts on each of the nine representative offsite vantage points are specifically described below:

(1) Views from I-580. Although no specific photo-montage visual simulation of a freeway view is shown, the simulation from the Bancroft Avenue/Dutton Avenue area immediately west of I-580 (Figure 29) is indicative of project impacts on views from the freeway. The adverse visual impacts on the north- and southbound segments of I-580 between Foothill Boulevard (at 106th Avenue) and Grand Avenue would represent a *significant environmental impact*, particularly in the first five to ten years necessary for the screening effects of introduced vegetation to occur. Most of the natural grassland ridgelines and some portions of the existing wooded draws would be displaced by tiers of hilltop cluster homes and related grading (subareas A and B on Figure 28). Cuts and fills for the project access road would also be directly visible from I-580, and would result in a noticeable loss of hillside vegetation along the road alignment. The cut-and-fill slopes above and below the hillside access road would be revegetated with natural grasses and tree clusters. Italian alders and European hackberries are examples of trees suggested for use by the project landscape architect because of their fast-growing and low water use characteristics, and their informal appearance and general compatibility with the Oak woodland. Nevertheless, portions of the route and associated vehicular traffic would remain permanently visible from I-580. This visual impact would be particularly significant in the first five to ten years it would take for project vegetative screening to mature.

¹This landscaping description is based on a written narrative by the applicant's landscape architect that was submitted by the Hayward Exchange, Inc., to the City of Oakland Planning Department on April 17, 1989. It should be noted that the proposed use of white alder to achieve near term visual screening effects would be inconsistent with the stated landscape plan objective to balance view screening needs with habitat value enhancement and water conservation needs (white alder is a high water user).



BEFORE



AFTER

Figure 29
**BEFORE AND AFTER VIEWS FROM THE
BANCROFT AVENUE/DUTTON AVENUE AREA**

(2) and (3) Views from Sheffield Village. As illustrated by Figure 30, the proposed cluster residential development and associated access road construction in visual subareas A and B (Figure 28) would also have a highly noticeable and significant adverse impact on Sheffield Village vantage points. In terms of the various project subareas shown on Figure 10 in section III of this EIR, peripheral home clusters in the West and South Subareas, as well as the project access road in the Entry Subarea would be highly visible. In addition, rooftops of clustered homes along the southern edge of the Central Subarea would also be partially visible above the hillside woodland. These visual effects of the proposed project would represent a significant adverse environmental impact. Although this impact would be expected to decrease substantially as introduced vegetation matured to achieve its intended screening effect, the vegetative screening would not be expected to reduce project impacts on Sheffield Village views to less than significant levels.

Portions of the easternmost two **retaining walls** along the southern site boundary (refer to Figure 19) would be noticeable from limited Sheffield Village vantage points. The top of the 5-foot tall middle retaining wall (base elevation = approximately 130 feet) would be visible through existing trees from various neighborhood vantage points in closest proximity to the wall, as would part of the top of the 6-foot tall easternmost retaining wall (base elevation = 190 feet). Nevertheless, the visual impacts of these walls would not be significant, given the limited extent of exposure and the limited number of affected vantage points. (The visible portions of these retaining walls are not perceptible in Figures 29, 30, and 31, due primarily to the existing foreground vegetation.)

(4) and (5) Views from the Bancroft Avenue/Dutton Avenue Area. As illustrated by Figures 28 and 29, the project hillside access road in the Entry Subarea and project cluster development along the southeastern edges of the West, Central, and South Subareas--i.e., development within visual subareas A, B, and C on Figure 28--would be highly noticeable from, and would have a significant adverse environmental impact on, vantage points in this area of San Leandro south of I-580. The smooth natural ridgeline of the project site would be changed to an urban skyline of clustered residential forms. The existing natural hillside would be traversed by the visible dual access road cuts. This impact would be expected to decrease as introduced project vegetation matured, but not to less than significant levels.

(6) Views from Chabot Park Highlands. As illustrated by Figures 28 and 31, the northern edges of the hilltop residential clusters in the Central and North Subareas--i.e., the northern edges of visual subarea D--would be partially visible above the existing woodland canopy from numerous vantage points in the Chabot Park Highlands subdivision. The limited extent of project visibility from these Chabot Park Highland vantage points and the relatively low number of homes and road segments affected (as compared to views from I-580, Sheffield Village, Bay-O-Vista, the Bancroft-Dutton area, etc.), in combination with the screening effect of the surrounding existing woodland and proposed introduced vegetation, would result in a comparatively lower level of visual impact. Nevertheless, Figure 31 indicates that the proposed location of higher mass six- and eight-unit townhouse structures along the

- r peripheral edges of the North, Central, and West subareas could be expected to result in
- r significant adverse visual impacts on these neighborhood viewpoints to the northwest.

(7) Views from Bay-O-Vista. As illustrated by Figures 28 and 32, the project access road and the hilltop residential clusters along the southern edge of the West, Central, and South Subareas--i.e., visual subareas A and B--would be highly visible from numerous northerly vantage points in San Leandro's Bay-O-Vista neighborhood, resulting in a significant adverse environmental impact. The site's smooth, rolling, natural ridgelines would be changed to a continuous skyline of cluster residential development. The existing undeveloped hillside leading up to the ridges would be traversed by the two parallel road cuts.

Existing homes along Cranford Way in Sheffield Village provide an existing example of how a residential tier in the otherwise natural hillside backdrop is perceived from these Bay-O-Vista vantage points. The project would introduce another, more extensive residential tier along the ridge.

The project impact on Bay-O-Vista views would be expected to decrease as proposed introduced vegetation matured, but would not be expected to decrease to less than significant levels.

(8) and (9) Views from Lake Chabot and Castro Valley. Figure 33 represents a typical view north towards the site from the marina-east shore trail area, one of the most heavily used portions of Anthony Chabot Regional Park. The project residential clusters in visual subareas B and C on Figure 28--all of the project's South Subarea, over half of the Central Subarea, and a small corner piece of the East Subarea--would be visually conspicuous in contrast to the pristine nature of the remaining ridgeline surrounding the park. If the proposed acquisition of Fairmont Ridge as permanent open space is successfully negotiated (to the left in photo #8 and Figure 33), the project site ridge would be the only substantial component in this marina-east shore trail view remaining subject to urban development. There would be no other significant structural or urban elements in the panoramic open space landscape surrounding the lake, as viewed from the marina and east shore trail.¹ This generally pristine existing open space periphery provides park users with a sense of isolation from nearby urban areas (although traffic noise along Lake Chabot Road detracts slightly from this isolated atmosphere). Introduction of the proposed residential units in areas B and C on Figure 28 would result in a significant adverse impact on this important characteristic of Anthony Chabot Regional Park, particularly in the early years after project construction; i.e., in the five- to ten-year period before the proposed landscape screening reaches maturity.

As illustrated earlier by photo #9, the project ridgetop residential clusters in visual subareas B and C would also be visible from occasional points along Lake Chabot Road, including this photo location at Carlton Avenue in Castro Valley. A few homes (15 to 18) along

¹The pending 137-unit PUD proposal for the quarry site on Lake Chabot Road in San Leandro would be visible from vantage points at the northwest end of Lake Chabot, but not from the marina and east shore trail. (EDAW, Draft Environmental Impact Report, for Lake Chabot Terrace, July 1990.

Aylesbury Court off of Carlton Avenue with views towards the site's central ridge would experience moderate visual impacts. Given the limited nature of these views, this project impact would be less than significant.

No other Castro Valley neighborhood vantage points would be subject to moderate or significant visual impacts as result of the project.

(10) Distant Urban Vantage Points. From more distant urban areas in San Leandro and Oakland to the west near I-880 and BART, the project modifications would be visible as a relatively smaller portion of the south Oakland hills, and in this broader context would be perceived as a less conspicuous extension of the existing pattern of hillside and ridgeline urbanization currently visible in panoramic views from these vantage points. In this more distant, broader visual context, project visual impacts would be less than significant.

In order to target appropriate mitigation measures, these visual impacts of the project on the various surrounding vantage points are described below in terms of project residential development area impacts and access road impacts.

b. Project Residential Area Visual Impacts

Figure 28 indicates that of the 507 total residential units proposed, approximately 254, or 50 percent, would be within the ridgetop area designated as "highly vulnerable to significant visual impact" (subareas A, B, and C). Figure 28 indicates that these approximately 254 ridgetop units would contribute to a significant adverse visual impact on certain important surrounding vantage points. Portions of these 254 residential units would affect views from urban vantage points to the west and southwest; portions would affect views from Lake Chabot vantage points to the east.

(1) Impacts on Urban Vantage Points to the West and Southwest. Of the approximately 254 units contributing to a significant adverse visual impact, Figure 28 indicates that a combination of approximately 159 units (subareas A and B) would contribute to the significant adverse visual impacts identified above on vantage points to the west and southwest; i.e.: views from I-580, views from Sheffield Village, views from the Bancroft/Dutton Avenue area, and views from Bay-O-Vista. The photo-montage simulations on Figures 30 and 32 generally illustrate the visual impacts of the proposed residential development in subareas A and B on these west/southwest vantage points.

These visual impact simulations illustrate that, although the proposed clustering of the residential units is intended to maximize open space and minimize grading and thereby reduce visual impacts, the overall adverse impact of the introduction of these clustered urban elements into a prominent ridgeline landscape, i.e., subareas A and B would still be significant. The simulations also indicate that the proposed density of the residential clusters would contribute significantly to the impact. In addition, the proposed larger-mass

six- and eight-unit townhouse units would be particularly prominent, contributing disproportionately to the overall project visual impact.

(2) Impacts on Anthony Chabot Regional Park Vantage Points. Figure 28 illustrates how a different combination of 159 units, the proposed residential development in subareas B and C, would contribute to significant adverse visual impacts on Lake Chabot area vantage points. Photographs #8 and #9 and Figure 33 illustrate the importance of the project site as a component in the natural skyline surrounding Lake Chabot, and how development of subareas B and C would represent a conspicuous introduction of urban development in the otherwise pristine natural skyline.

c. Project Access Road Visual Impacts

The project dual access road would result in noticeable parallel hillside cuts that would traverse the existing grass-covered, west-facing project hillside. The introduction of the dual roadway itself, as well as associated vehicular movements (day and night) along the new hillside route, would result in a significant adverse environmental impact on vantage points to the west and southwest; i.e., views from I-580, Sheffield Village, the Bancroft Avenue/Dutton Avenue area, and Bay-O-Vista. These impacts are illustrated on Figures 29, 30, and 32.

Project access road and associated noise barrier construction as illustrated earlier on Figure 14 would also have significant adverse visual impacts on the rear yards of the five Marlow Drive homes that are adjacent to these elements.

The roadway would have no noticeable impact on views from Chabot Park Highlands or from Anthony Chabot Regional Park.

d. Project Light and Glare Impacts

(1) Light Sources. Light and glare emanating from the project site would include nighttime illumination from residential windows, outdoor porches and patios, safety lighting (streets and pathways), recreational lighting at the proposed tennis courts, and moving vehicle headlights.

(2) Impacts on Adjacent Areas. Residents of homes along Lochard Street in the Chabot Park Highlands subdivision and south-facing homes along the Malcolm Avenue corridor and its side streets would be closest to the project development areas and thus most directly affected by on-site light sources (from within the Central and West Subareas shown on Figure 10). Nighttime light and glare from vehicles moving on interior project streets in these areas would be effectively contained by peripheral project residential structures with no significant offsite impact. However, excessively brilliant exterior lighting on project streets or on individual private lots on the north side of visual subarea D could result in a significant environmental impact.

The 27 homes along Marlow Drive between Covington Street and Revere Avenue could also be directly affected by brilliant light from street luminaires along the project hillside access road, resulting in a significant environmental impact.

In addition, all offsite vantage points described in this chapter as subject to significant visual impact as a result of the proposed project residential areas and hillside access road would also be vulnerable to nighttime visual distractions from project street lighting. If this street lighting involves use of luminaires that are excessively high and bright, related evening visual effects could represent a significant environmental impact.

- r (3) Tennis Court. The tennis courts are proposed for a hilltop location in the Central
r Subarea. As a result, evening tennis court lighting could be visible and distracting to
r surrounding vantage points including I-580, Sheffield Village, the Bancroft/Dutton area,
r Chabot Park Highlands, and Lake Chabot, as well as to project residents themselves,
representing a potentially significant environmental impact.

Light impacts on surrounding areas from project residential windows would not be significant, given the separation (distance) involved.

e. Visual Impacts of Project-Related Offsite Improvements

(1) Peralta Oaks Drive--Foothill Way Extension at Covington Street. The offsite Peralta Oaks Drive-Foothill Way extension would also result in visual impacts. In particular, the road construction would require removal of existing trees from the rear of the five residential lots that overlap the proposed right-of-way acquisition area north and south of Covington Street (see Figure 15). The portions of three of the rear lot areas proposed for acquisition (54 Covington Street, 101 Marlow, and 109 Marlow) include a total of 13 mature trees that would have to be removed to implement the proposed Peralta Oaks Way-Foothill Drive extension. Affected species would include acacia, pine, oak, eucalyptus, redwood, and elm. Two of these trees are dead. The rest are in fair to good condition. The visual effects of this tree removal would represent a significant environmental impact.

(2) Other Segments of the Peralta Oaks Drive-Foothill Way Extension. Other visual impacts of this roadway extension would be less than significant. The extension segment between the existing ends of Foothill Way and Peralta Oaks Drive would not be visible from any residential areas or other sensitive vantage points. The segment would only be visible as a frontage road from the parallel section of I-580.

f. Cumulative Visual Impacts

- r The Land Use section of this EIR (IV.A) describes the nearby 21.2-acre Melrose Baptist
r Church property as having possible additional development potential for up to 12 residential
r units. The same EIR section describes the development potential of adjacent 33.5-acre

- r Drinnen property as limited to five homes or less, due to access and development
- r constraints related to steep terrain. The potential 12 units on church property would be well
- r below the ridgeline and would also be below existing residential development in Chabot
- r Park Highlands. The Drinnen property development potential would be limited to five units,
- r also well below the ridge. Given

r these anticipated characteristics, the degree of future development anticipated on the
r Melrose Church and Drinnen properties would not be expected to result in significant
additional cumulative visual impacts on vantage points along I-580 and in the
r Dutton/Bancroft and Bay-O-Vista neighborhoods of San Leandro. The Melrose Baptist
r Church and Drinnen sites are not visible from Sheffield Village or from Anthony Chabot
Regional Park.

r Current construction of a 137-unit residential PUD on the San Leandro quarry site (see
r Figure 1) will not result in a cumulative visual impact on Lake Chabot area viewpoints
r affected by the Dunsmuir project. The quarry site project site is located on a north-facing
r slope off of Chabot Road and is not visible from those southern areas of Chabot Regional
r Park from which portions of the Dunsmuir project would be seen.

r The Fairmont Hills or Fairmont Ridge site is comprised primarily of west-facing slopes which
r would not be visible from Lake Chabot. However, there are partial views from the central
r and northern portions of Lake Chabot of the uppermost ridgeline portion of the site through
r the eucalyptus groves which cover the ridge.¹ If development were ever to occur on the
r ridge (negotiations are currently underway to acquire the site as an open space adjunct to
r Lake Chabot Regional Park), the small portions of the development which might be visible
r from Lake Chabot would be heavily screen from lake area vantage points to the east by the
r intervening topography and eucalyptus groves, and would probably not be visible from those
r viewpoints at the south end of Lake Chabot which are significantly affected by the project.
r Given these considerations, future development of the Fairmont Ridge site, like the quarry
r site, would not result in a significant cumulative visual impact on the Lake Chabot
r viewpoints affected by the project. However, these two other developments individually
r could have significant impacts on other viewpoints within the Anthony Chabot Regional Park
r boundary and could thus cumulatively detract significantly from the overall open space
r character of the park.

3. MITIGATION MEASURES

Note: CEQA requires that EIRs distinguish between those mitigation measures proposed by the project proponent to be part of the project and measures that are not part of the project and are not proposed by the project proponent. Unless stated otherwise, all of the visual impact mitigation measures identified below are not part of the project and are not proposed by the project proponent.

Obviously, acquisition of the project site as permanent open space area would be the most effective means of avoiding project visual and other environmental impacts. However, the intent of an EIR under CEQA is to identify to the extent possible mitigation measures that

r ¹EDAW, Inc., Fairmont Hills Specific Plan, Administrative Draft, June 1987, pages 4-6 and 4-7.

would mitigate project visual impacts in a manner that is in keeping with the basic project objectives.¹

Mitigation measures are listed below for each identified visual impact. In order to clearly match mitigations with impacts, the mitigation discussion is organized under the same headings as the impact discussion.

a. Impacts on Surrounding Views of the Site

(1) Views from I-580. Implement residential development area mitigation measures identified under heading b(1) below and hillside access road mitigations identified under c below.

(2) and (3) Views from Sheffield Village. Same.

(4) and (5) Views from Bancroft Avenue/Dutton Avenue Area. Same.

¹Section 21085 of the California Environmental Quality Act Guidelines states that the public agency shall not reduce the proposed number of housing units as a mitigation measure or project alternative "if it determines that there is another specific mitigation measure or project alternative that would provide a comparable level of mitigation." The findings in this EIR indicate that confinement of a 507-unit project on those areas that would not result in a significant visual impact would result in densities of approximately 13 units per acre. Such densities would be inconsistent with the presumed intent of the OCP Suburban Residential designation, and may be difficult to achieve, given the topographic, geographic, and other development constraints presented by the site.

r (6) Views from Chabot Park Highlands. Confine the proposed higher mass six- and eight
r unit townhouse structures to locations which are not prominently visible from Chabot Park
r Highlands viewpoints and incorporate substantial vegetative screening along the peripheral
r edges of the North, Central, and West subareas, including widespread tree cover, in the
r landscape plan for the northwestern edges of these tree subareas. Such vegetative
r screening would eventually appear more compatible with the existing woodland in these
r areas if native species were used. However, oak woodland requires many years of growth
r to reach a point where effective screening will occur. In the interim, "interplant" other
r faster-growing nonnative evergreen "canopy" species with the native species. Include the
r same stringent CC&R controls on tree removal and pruning as those proposed below under
r b(1-e). These measures would reduce project visual impacts on these northwestern
r viewpoints to less than significant levels.

(7) Views from Bay-O-Vista. Implement residential development area mitigation measures identified under heading b(1) below and hillside access road mitigation measures identified under section c which follows.

b. Proposed Residential Development Area Visual Impacts

Various degrees of modification to the residential development areas of the project and associated visual impact mitigation implications, are described below. The range of mitigation choices that is described, including the views affected, the number of housing units remaining, and the visual impact significance after mitigation, is summarized in the chart on pages IV.B--39 and 40.

(1) Visual Impacts on Urban Vantage Points to the West and Southwest. Alternative levels of modification to the proposed project residential areas, and their relative effectiveness in mitigating project visual impacts on urban vantage points to the west and southwest (I-580, Sheffield Village, Bancroft Avenue/Dutton Avenue area, Bay-O-Vista), are described below:

(1-a) Substantial Development Area Reduction: The visual impacts of the project on urban vantage points to the west and southwest could be mitigated to less than significant levels by making major layout revisions to eliminate residential development in **subareas A and B**, which are identified on Figure 28 as having high vulnerability to visual impact by virtue of their exposure to view from these highly urbanized vantage points. As shown on Figure 28, the ridgeline visual impacts simulated on Figures 29, 30, and 32 would be reduced to less than significant levels or eliminated by confining residential development to areas northeast of the approximated "high vulnerability" line. Failure to adopt this measure would result in an unavoidable significant project impact on views from urban vantage points to the west and southwest. (None of the alternative measures [1-b through 1-e] that follow below would reduce these impacts to less than significant levels.)

This measure would eliminate the approximately 159 units currently included within subareas A and B. Opportunities to offset this loss by increasing the number of units in area C are severely limited by Lake Chabot visual impact concerns. Opportunities to expand the development coverage in subarea D to offset the 159 units eliminated from subareas A and B are also limited. The average density of the project residential development areas as currently proposed is between approximately 7 and 8 units per acre. To shift the 159 units to subarea D, which already includes 253 units, would require a development area density within that subarea of approximately 13 units per

acre. To achieve a density this high would require extensive use of attached, multi-family structural types, and would rule out single-family attached units as a substantial project component. As a result, this measure would not meet the basic project objectives. Also, a predominantly multi-family project would be inconsistent with the underlying R-30 zoning that allows unit types other than one-family dwellings only if at least 50 percent of the units in the development are one-family dwellings.

To provide the range of housing types, residential densities, and amenities proposed by the applicant, increase the number of units in subarea D by no more than approximately 10 percent. If this offsetting measure is included, this "substantial development area reduction" alternative would reduce the total project yield from 507 down to **373 units**.

(1-b) Partial Residential Development Area Reduction: A variation on the "substantial residential development area reduction" alternative would be a "partial residential development area reduction," where development along the uppermost elevations of subareas A and B would be eliminated; e.g., areas above the 550-foot contour (see Figure 5). With no offsetting change in the density of development in the remaining residential areas, elimination of development above the 550-foot contour in subareas A and B would reduce the development yield of these two subareas from the 159 units proposed down to approximately 82 units, and would reduce the total number of project units from 507 down to approximately **430 units**.

This variation would substantially reduce the degree of ridgeline development and related visual impacts on vantage points along I-580 and within Sheffield Village, the Dutton/Bancroft area, and Bay-O-Vista, but not to less than significant levels.

(1-c) Reductions In Residential Density and Peripheral Building Mass: An alternative to total elimination of residential development in subareas A and B or confinement of residential development in these subareas to elevations below the 550-foot contour, would be to: (1) reduce the project density in these two subareas from the approximately 8 units per developed acre currently proposed down to approximately 5 units per development area acre, and (2) to relocate the higher mass six- and eight-unit townhouse structures from the exposed peripheral edges of subareas A and B to less visible internal areas. These density and building mass reduction measures could be expected to reduce the subarea A and B development yield from approximately 159 units as currently proposed, down to approximately 99 units, and would therefore reduce the total project yield from 507 down to **447 units**. This measure alone would serve to substantially reduce the degree of project visual impacts on I-580, Sheffield Village, Bancroft/Dutton area, and Bay-O-Vista vantage points, but not to less than significant levels.

(1-d) Combination of Partial Development Area Reduction and Reduction in Residential Density and Peripheral Building Mass: A combination of measures (1-

b) and (1-c) in subareas A and B--i.e., elimination of residential development above the 550-foot contour, reduction in residential density in the remaining portions of subareas A and B to approximately 5 units per acre, and relocation of higher-mass six- and eight-plex townhouse structures away from the exposed peripheral edges of these two subareas, would further reduce the visual impact of the project on urban vantage points to the west and southwest, although not to less than significant levels. This combination of measures would reduce the residential development yield in subareas A and B from the 159 units currently proposed down to approximately 48 units, and would reduce the project overall unit total from 507 down to **396 units**, unless densities in subarea D were slightly increased to partially offset the subarea A and B reduction.

(1-e) Landscaping Measures: Incorporate substantial vegetative screening, including widespread tree cover, in the landscape plan for subareas A and B. Such screening would eventually appear more compatible with the hillside if native tree species were used. However, oak woodland requires many years of growth to reach the point where effective screening would occur. In the interim, "interplant" other faster-growing, non-native evergreen "canopy" species with the native species.

The degree to which such vegetative screening can be introduced on the critical southwestern edges of these subareas may be significantly limited by desires to maintain open, panoramic views for project homes along this edge. Such views can be expected to be the principal marketing factor for these particular homes. In response, include in project bylaws and CC&Rs stringent controls on tree removal and tree pruning. Require that removal of any tree or branch in excess of 8 inches in diameter be subject to review by the project homeowners' association.

The degree of impact mitigation anticipated from introduced screening vegetation after five years or more of healthy growth can be substantial, as demonstrated by other, well-landscaped hillside residential projects in the East Bay. With establishment of effective vegetative screening, the visual impacts of the proposed residential areas would be substantially softened and reduced, although not to less than significant levels.

As indicated in other sections of this EIR, emphasize use of drip irrigation systems and other techniques in the project landscape plan to avoid overwatering of potentially unstable hillside areas, and balance the need for quick visual screening against the needs for natural habitat enhancement, water conservation, and low wildfire fuel loading.

(2) Visual Impacts on Anthony Chabot Regional Park Vantage Points. Various alternative degrees of modification to the proposed project residential areas, and their relative effectiveness in mitigating project visual impacts on views from the south end of Lake

Chabot (the marina and east shore trail) are described below:

(2-a) Substantial Development Area Reduction: The visual impacts of the project on the Lake Chabot area could be eliminated--i.e., reduced to less than significant levels--by avoiding residential development in **subareas B and C**, the two approximate visual subareas mapped on Figure 28 which are visible from the south lake area. Failure to adopt this measure would result in an unavoidable significant project impact on views from the south end of Lake Chabot. (None of the alternative measures 2-b through 2-e which follow below would reduce these impacts to less than significant levels.)

This measure would reduce the total project unit yield from 507 down to approximately 348 units, unless densities in subarea D were increased to partially offset the subarea B and C reduction. If combined with measure (1-a) above, this measure would reduce the total project unit yield from 507 down to approximately **253 units**.

(2-b) Partial Development Area Reduction: A variation on measure (2-a) above would be elimination of development on the uppermost elevations of subareas B and C; i.e., above the 550-foot contour. This measure would substantially reduce the degree of project visual impact on views from the south end of Lake Chabot, although not to less than significant levels. This measure would reduce the development yield of subareas B and C from 159 down to 18 units, and would reduce the total development yield of the project from 507 units down to 366 units. If combined with measure (1-b) above, this measure would reduce the project unit total from 507 units down to **340 units**.

(2-c) Reduction in Residential Density and Building Mass: An alternative to total elimination of development in subareas B and C, or confinement of development below the 550-foot contour, would be to reduce the project density in these two subareas, as well as to relocate the higher mass six- and eight-unit townhouse structures away from the peripheral edges of subareas B and C. The townhouse structures could be confined to the internal areas away from the ridge edges. If combined with measure (1-c), this measure would reduce the project unit total from 507 units down to **410 units**. This measure alone would serve to substantially reduce the degree of project visual impacts on views from the south end of Lake Chabot, but not to less than significant levels. These density-reduction and large-mass building relocation measures would reduce the subarea B and C development yield from approximately 159 units as currently proposed down to approximately 99 units, and this would reduce the total project yield from 507 units down to 447 units.

(2-d) Combination of Partial Development Area Reduction and Reduction in Residential Density and Peripheral Building Mass. A combination of measures (2-b) and (2-c) in subareas B and C--i.e., elimination of residential development above the 550-foot contour, reduction in residential density in the remaining portions of these subareas to approximately five units per acre, and relocation of the higher-mass six-

and eight-plex townhouse structures away from the exposed peripheral edges of the two subareas, would further reduce the impact of the project on views from the south end of Lake Chabot, although not to less than significant levels. This combination of measures (2-b) and (2-c) would reduce the residential development yield in subareas B and C from the 159 units currently proposed down to 11 units, and would reduce the total development yield of the project from 507 units down to 359 units. If combined with measure (1-d) above, this measure would reduce the project development total from 507 units down to approximately **307 units**.

(2-e) Landscaping Measures: To reduce project impacts on views from the south end of Lake Chabot, include in the landscape plan for subarea C the same substantial landscaping measures identified above (b-1) for subareas A and B to mitigate project impacts on urban vantage points to the west and southwest. These measures could have a substantial effect in softening and reducing project impacts on Lake Chabot vantage points. However, the measures would not reduce these visual impacts to less than significant levels.

c. Project Access Road Visual Impacts

The proposed hillside access drive would have significant visual impacts on views from I-580, Sheffield Village, the Bancroft Avenue/Dutton Avenue area, and Bay-O-Vista. There are a number of mitigation choices which would have varying levels of effectiveness in reducing these visual impacts. These choices, and their comparative mitigating effects, are described below:

(1) Grading Modifications and Revegetation: The impact analysis indicates that cut-and-fill slopes along the hillside access road that are steeper than 2:1, such as the 1:5 to 1 cuts shown on Figure 17, may not appear natural, particularly where bedrock is sheared. In addition, the proposed 5-foot terrace that is suggested on Figure 17 at 25-foot vertical intervals could defeat the stated natural appearance objective, although its benefits with respect to fill-slope stability are significant.

To substantially reduce the visual impact of the proposed dual hillside access road, limit the maximum cut-slope and fill-slope gradient to 2:1; revegetate the slopes with natural-appearing grasses, shrubs, and trees; and eliminate or conceal the fill-slope terracing approach. These mitigations would substantially reduce the visual impacts of the proposed hillside access road, but not to less than significant levels.

(2) Landscaping Measures: Require substantial roadside landscaping in informal, natural appearing groupings (as opposed to formal street tree spacing), as part of any hillside access road design, particularly for those segments that traverse the high visual impact vulnerability area shown on Figure 28 (subarea A). Such screening would eventually appear more compatible with the hillside if native tree species were

used. However, oak woodland requires many years of growth to reach a point where effective screening would occur. In the interim, mix other faster-growing evergreen "canopy" species with the native species. These landscaping measures could substantially soften and reduce the visual impacts of the hillside access road, although not to less than significant levels.

(3) Addition of Crib Walls to the Dual Hillside Access Road: Incorporate crib walls in the design of the hillside access road to reduce visual impacts by reducing cut-and-fill volume and by reducing the degree of road-construction-related tree loss. Concrete crib-walls, an earth retention system of interlocking reinforced concrete units, are widely used by Caltrans and other roadway designers to retain fill-slopes for hillside roads. A "criblock" retaining wall system is often the preferred alternative to a conventional reinforced concrete retaining wall because of cost and visual advantages. The interlocking system allows limited planting along the face of the wall to reduce visual impacts. An evaluation in section V (Project Access) of this EIR indicates that the crib-wall approach would result in preservation of substantially more existing oak woodland along the route, with significant visual benefits, and that most of the exposed crib walls may be effectively screened from view by the existing oak woodland which would be saved by this design approach. The dual-access-road-with-crib-walls design approach could reduce road-construction-related oak tree loss by approximately 30 percent (as compared to the no-crib-wall design currently proposed), and would reduce access road cut-and-fill requirements by approximately 25 percent. This modification would substantially reduce the visual impacts of the hillside access road, although not to less than significant levels.

(4) Single Roadway with Crib Walls: Provide a single, two-lane hillside access road with crib-wall retainment, as opposed to the proposed dual access road design without crib walls, could further reduce the roadway visual impact. An evaluation of this design approach in section V of this EIR (Project Access) indicates that access road cut-and-fill volumes would be reduced by 50 percent and road-construction-related tree loss would be reduced by 66 percent. The degree of exposed cut-slope area would also be significantly reduced. The need for visually undesirable drainage terraces could (and should) be eliminated as well. The average roadway gradient would be 13.6 percent. These mitigations would further reduce the visual impact of the hillside access road, although not to less than significant levels.

(5) Single Roadway with Bridges: Incorporate reinforced concrete bridge structures to cross the four hillside ravines that are traversed by the proposed hillside access road alignment, thereby reducing grading, tree removal, and related visual impact concerns. The comparative analysis of design approaches in section V.C of this EIR (see Table 38) indicates that cut-and-fill volumes would be reduced by approximately 60 percent; and road-construction-related tree loss would be reduced by 70 percent. The average roading gradient would be 12.9 percent. These mitigations would substantially reduce the visual impacts of the hillside access road, although not to less than significant levels.

(6) Golf Links Road Connection: In lieu of the proposed hillside access road connection to Foothill Way, a northeast connection through the Oakland Municipal (lake Chabot) Golf Course to Golf Links Road would reduce project visual impacts on urban vantage points to the west and southwest to insignificant levels; i.e., the impact would be eliminated. The Project Access chapter of this EIR (section V), evaluates this access alternative, including its traffic impacts and its effects on the golf course. With such a connection providing the sole primary access to the project, traffic volumes on Golf Links Road would increase by 7,170 trips per average weekday. The evaluation in section V indicates that, although this alternative would be preferable from a visual impact standpoint, its circulation and golf course impact disadvantages would offset its visual benefits.

- r **Conclusions and Recommendations.** From a visual impact mitigation standpoint alone, the Golf-Links-Road-only connection alternative would appear to be the preferred alternative. However, the traffic impact and golf course impact disadvantages of the Golf-Links-Road-only alternative appear to outweigh its visual advantages. Of the other choices, either the single-hillside-road-with-crib-walls or the single-hillside-road-with-bridges are preferable from a visual impact mitigation standpoint. If non-visual impact concerns with respect to the roadway gradient can be satisfactorily mitigated (see EIR sections IV.C.2 and 4), these are
- r the recommended mitigation choices. Either of these two alternatives, in combination with the grading modifications and grading revegetation measures described above under c(1), plus the other landscaping measures described above under c(2), would substantially reduce the visual impacts of the project hillside access road, although not to less than significant levels.
- r The noise wall to be constructed behind homes on Marlow Road should be designed to
- r maximize visual compatibility with adjacent homes through a combination of architectural
- r treatments and landscaping. These impacts could be reduced but not to less than
- r significant levels.

d. Project Light and Glare Impacts

(1) Light Sources. Use low-intensity, low-height, closely spaced luminaires with light refractors or diffusers that prevent direct light exposure to offsite vantage points, in order to reduce light and glare impacts associated with the access road street lighting to less than significant levels.

(2) Impacts on Adjacent Areas. Use street lighting conservatively in any project residential development allowed within subareas A, B, or C on Figure 28. Limit street lighting in these subareas to use of low-intensity fixtures with the cone of light focused in a manner which avoids illuminating any vertical surfaces visible from offsite vantage points.

- r In addition, include in the homeowners association bylaws and project CC&Rs (covenants, conditions, and restrictions that run with the deed) stringent parameters regarding exterior lighting to ensure against nighttime visual impacts on offsite viewpoints.

The combination of these two measures would be expected to reduce project street lighting and exterior residential lighting impacts to less than significant levels.

Light impacts from residential windows have not been identified in this EIR as significant, but nevertheless could be softened or eliminated through use of drapes as well as by peripheral landscape planning.

r (3) Tennis Courts. In order to reduce project tennis court lighting impacts to less than
r significant levels, design or locate the tennis court facilities in a manner which prevents
r direct, unobstructed views of the lights from offsite and onsite vantage points (i.e., locate
r the courts out of view, or incorporate structural barriers or berms to shield the lights from
r view). Also, use automatic shutoff switches and time clocks to control the lighting, and limit
r the hours of after-dark use. (This second measure has been proposed by the project
applicant.)

(4) Miscellaneous. Pathways and mini-parks should be illuminated by low bolland fixtures.

e. Visual Impacts of Project-Related Offsite Improvements

r (1) Peralta Oaks Drive-Foothill Way Extension at Covington Street. Incorporate extensive,
continuous roadside street tree landscaping along the east side of the Peralta Oaks Drive-
r Foothill Way extension between Revere Avenue and Dunsmuir Heights Road to compensate
for identified tree loss impacts due to right-of-way acquisition near Covington Street (13
existing mature trees would be removed from the rear yards of the five affected residential
lots; see Figure 15). Install evergreens, including some of the pine, oak, and redwood
species that are to be removed. Provide a replacement ratio of at least 2-to-1 in this street
landscaping design. This measure would reduce this project visual impact to less than
significant levels.

(2) Other Segments of Peralta Oaks Drive/Foothill Way Extension. No significant visual
impacts have been identified; no mitigation measure is required.

f. Cumulative Visual Impacts

r The measures identified above to reduce the impacts of the project on Lake Chabot area
r views to insignificant levels would also mitigate project contributions to the cumulative visual
r impacts of the project, in combination with development of the quarry and Fairmont Ridge
r sites on Lake Chabot to insignificant levels.

r g. Landscape Design Review and Maintenance

r (1) Landscaping Controls. In addition to the mitigation measures identified above, make
r PUD Permit approval contingent upon applicant preparation for city review of a *detailed*
r *project landscape plan and associated landscape design standards* for both onsite and
r offsite aspects of the project. The landscape plan should include pre-ordained plant types
r and plant locations, as warranted to achieve the necessary effects and mitigate the adverse
r visual impacts identified in this EIR.

Implementation of the planting scheme should be ensured through incorporation of related design, planting, and ongoing maintenance requirements in the bylaws of the homeowners association and the CC&Rs for each home. (As currently proposed, all project exterior areas would be commonly owned. There would be no private exterior lots. If the project were to be modified to include private exterior lots, then these requirements should also be included in the CC&Rs for such affected lot.)

(2) Independent Review. Also require that, as part of the city's review, the detailed landscape plan be subject to review and comment by a qualified independent landscape architect selected and retained by the city at applicant expense.

(3) Maintenance and Replacement. Given the ongoing, long-term importance of vegetative screening in mitigating project visual impacts, also establish a program of ongoing maintenance and replacement of existing and introduced vegetative screening as a condition of PUD Permit approval. Permanent implementation of the program should be a principal role and responsibility of the project homeowners association, which would collect dues to cover common maintenance costs, and would help to enforce project bylaws and CC&Rs regarding ongoing mitigation of project visual impacts.

4. PROJECT RELATIONSHIPS TO ADOPTED PLANS (VISUAL POLICIES)

The following section describes project relationships to adopted local general plan policies and adopted regional policies pertaining to aesthetics and visual resources. In keeping with CEQA Section 15125, the discussion concentrates on identification of any inconsistencies between the proposed project and applicable local and regional visual policies.

a. Oakland Comprehensive Plan Hillside Development Policies

The Land Use section of this EIR (IV.A) discusses the project relationship (degree of consistency or inconsistency) to a wide range of adopted city land use policies, many relating to concerns about preserving "the semi-rural character" of the Oakland Hills,

discouraging "significant alteration of natural land forms," and preserving "prominent topographic features." Project relationships to these policies are discussed in that EIR section. In summary, the Land Use chapter points out, as illustrated in this Visual Factors chapter, by Figures 29 through 33, that aspects of the project design appear to be inconsistent with the city's *Land Use Element* policies calling for: (a) sensitive development relationships to the natural setting, (b) scale/intensity relationships with the physical characteristics of the site, (c) design of development on slopes of 15 to 30 percent with special attention to preserving natural topography, and (3) the preservation of prominent topographic features "wherever possible." In particular, the Land Use section points out that the proposed placement of project homes on the highest, most visually prominent knolls and ridges of the site appear to be inconsistent with the city's adopted general plan objective to reserve "the most appropriate portions as permanent open space." Incorporation of those mitigation measures identified in section 3 of this chapter that would reduce project visual impacts to insignificant levels--i.e., confining project residential development to areas below the 550-foot contour--would bring the project into consistency with these OCP policies.

b. State and City Scenic Route Policies

The segment of the I-580 freeway between Foothill Boulevard and Highway 24 is a state-designated scenic route. Portions of the project would be visible from the southernmost end of this state-designated scenic route segment (see photograph #1 herein). The project would add to the extensive existing urban landscape along this route. Under state scenic route designation guidelines, the local entity having jurisdiction over lands adjacent to the designated route must initiate a local scenic route designation process and program to protect and enhance the scenic corridor.¹ The *Scenic Highways* section of the Oakland Policy Plan, a component of the Oakland Comprehensive Plan, includes policies with respect to protection of scenic values along I-580 (the MacArthur Freeway), including the following:

Panoramic vistas and interesting views now available to the motorist should not be obliterated by new structures. (Oakland Policy Plan, page M-2)

New construction within the scenic corridor should demonstrate architectural merit and a harmonious relationship with the surrounding landscape. (Oakland Policy Plan, page M-2)

The project would substantially transform a large area of existing open space that is visible from I-580. However, project structures would be some distance from the freeway and, thus, although the project would significantly reduce the visual appeal of the project site's existing natural features, the project would not "obliterate" (block, obscure, erase, or destroy)

¹Caltrans, Guidelines for the Official Designation of Scenic Highways, April 1988.

I-580 vistas or views.

In regard to the second policy, this EIR chapter indicates that project visual effects would result in a *significant adverse environmental impact* on the onsite natural landscape (tree removal, grading, structures, roadway, etc.). In regard to "a harmonious relationship with the surrounding landscape," the impact section of this chapter describes how the project residential area would appear as prominent urban elements atop the site's natural hillslopes, significantly affecting existing views of the project site ridges and upper hillsides as seen from urban areas to the west and southwest, and from Lake Chabot. Similarly, the impact section also describes how the project dual access drive along the west-facing hillside would have significant visual impacts on views from urban areas to the west and southwest. In addition, the Land Use section of this EIR (IV.A) describes how the project's "clustered" site plan and related home types would be substantially different than Chabot Park Highlands or Sheffield Village home characteristics. These impact findings suggest that the project as proposed would not be "harmonious" with the surrounding landscape, and thus would be inconsistent with this adopted general plan policy (unless the associated mitigation measures identified in this Visual Factors chapter and in the Land Use Chapter were effectively implemented).

C. TRANSPORTATION

This section describes potential project impacts on the operation and safety of the Oakland and San Leandro street system in the project vicinity, including principal local streets, collectors and arterials, local Interstate 580 segments and ramps, and related intersections. These descriptions are based in large part on a traffic impact study completed by TJKM Transportation Consultants (TJKM).¹ The section also describes traffic-related impacts on local neighborhood environments, and the adequacy of the proposed project access, internal circulation, and parking provisions.

1. SETTING

a. Regional Access

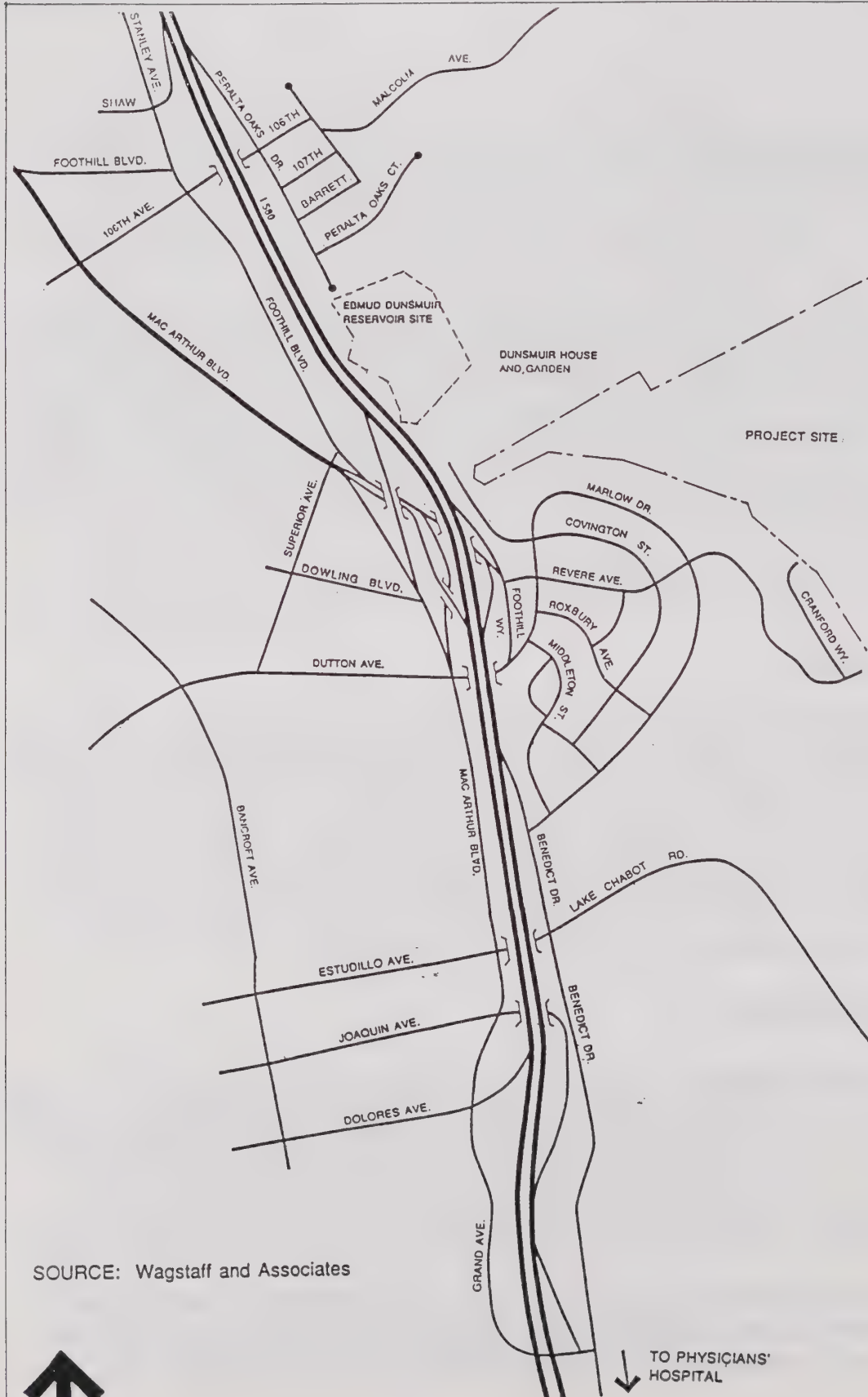
Interstate 580 (I-580) provides primary regional access to southeast Oakland and the project site, as diagrammed on Figures 1 and 34. The western tip of the project site is currently linked to I-580 via Covington Street, Marlow Drive, and Revere Avenue. Marlow Drive connects with southbound I-580 via the Dutton Avenue offramp (via MacArthur Boulevard and Dutton Avenue), and via the Grand Avenue onramp (via Dutton, MacArthur, and Grand). Marlow Drive connects to northbound I-580 via the San Joaquin Avenue offramp (via MacArthur and Dutton), the MacArthur Boulevard offramp (via MacArthur, Superior Avenue, and Dutton), and the Foothill Way onramp (via Revere).

b. Local Roadway System

r (1) Principal Local Roadways. The local roadway system in the project vicinity is diagrammed on Figure 34. Foothill Way and the Foothill Way northbound onramp to I-580 are immediately west of Sheffield Village and the project site. Foothill Way leads to the existing Sheffield Village street system, including Revere Avenue, Marlow Drive, and Covington Street. Marlow Drive west of I-580 becomes Dutton Avenue, which leads to MacArthur Boulevard near I-580 and to Bancroft Avenue, a major arterial in San Leandro.

Both MacArthur Boulevard and Bancroft Avenue lead south to Estudillo Avenue. The portion of Estudillo located farther to the west connects with Davis Street-Doolittle Drive (Highway 61) which crosses Interstate 880 and Hegenberger Road in Oakland, and

¹TJKM, Traffic Impact Study of the Dunsmuir Heights Residential Project, March 1988.



SOURCE: Wagstaff and Associates

Figure 34
EXISTING LOCAL ROADWAY SYSTEM

connects to the island of Alameda. Estudillo to the east becomes Lake Chabot Road, which leads to Anthony Chabot Regional Park and Castro Valley.

As shown on Figure 34, MacArthur Boulevard south of Estudillo becomes Grand Avenue which leads east of I-580 to the Bay-O-Vista subdivision and the Physicians' Hospital on Benedict Drive.

The 106th Avenue/Malcolm Avenue/I-580 interchange is approximately one-half mile north of the site. Malcolm Avenue east of I-580 leads to Marshall Elementary School and into the Chabot Park Highlands subdivision. Malcolm becomes 106th Avenue west of I-580. West of I-580, 106th Avenue leads to MacArthur Boulevard (a major commercial arterial in southeast Oakland), Castlemont High School, and Bishop O'Dowd High School (via either 98th Avenue or Foothill Boulevard and Stanley Avenue).

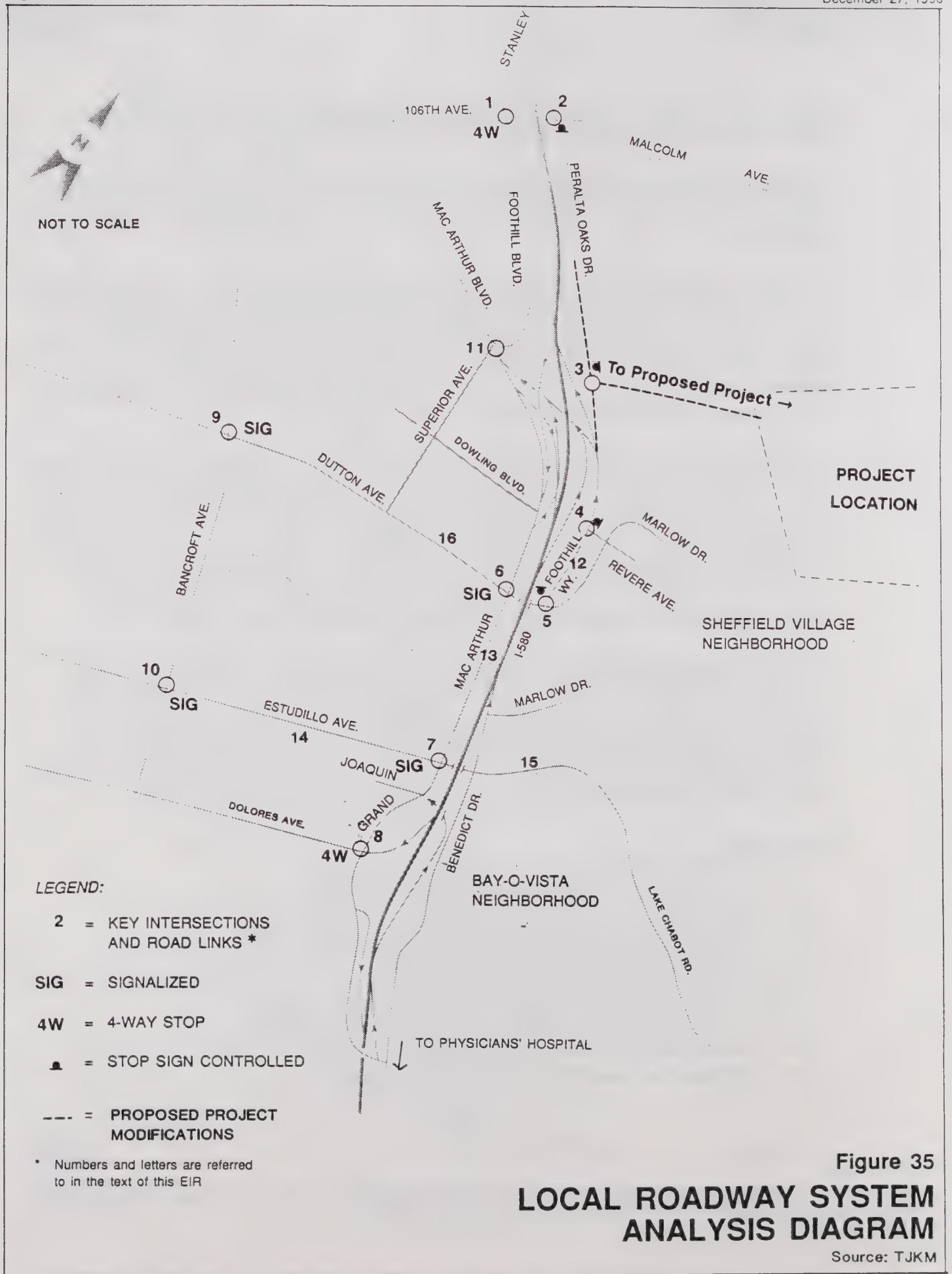
As shown on Figure 1, the Golf Links Road/98th Avenue/I-580 interchange is approximately one mile north of the site. Golf Links Road east of I-580 provides access to Chabot Park Highlands and the Oakland (Lake Chabot) Municipal Golf Course. The route ends at the golf course clubhouse. No public access connections exist between Golf Links Road and the project site. The site can be reached from the end of Golf Links Road via a golf course maintenance road that also provides maintenance access to EBMUD's Peralta Reservoir (water tank), located between the project site and the golf course.

(2) Critical Local Road System Locations. Fifteen specific local road system locations have been identified by the City of Oakland Office of Public Works and the City of San Leandro Public Works Department as those that are most likely to be affected by the proposed project, including ten key intersections and four critical road segments.¹ These locations are mapped on Figure 35. Five of these locations are in Oakland; ten are in San Leandro. The locations are listed below (the numbers correspond to Figure 35).

Intersections:

- (1) Foothill Boulevard/106th Avenue (in Oakland);
- (2) Peralta Oaks Drive/106th Avenue (in Oakland);
- (3) Foothill Way/proposed project access road (in Oakland);
- (4) Foothill Way/Revere Avenue (in Oakland);
- (5) Foothill Way/Marlow Drive (in Oakland);
- (6) MacArthur Boulevard/Dutton Avenue (in San Leandro);
- (7) MacArthur Boulevard/Estudillo Avenue (in San Leandro);
- (8) Grand Avenue/Dolores Avenue (in San Leandro);
- (9) Bancroft Avenue/Dutton Avenue (in San Leandro);

¹The components were identified in response to preliminary review of the applicant's proposed access concept.



- (10) Bancroft Avenue/Estudillo Avenue (in San Leandro); and
- (11) MacArthur Boulevard/Foothill Boulevard/Superior Avenue (in San Leandro).

Note: Ten of these 11 intersections are existing, one (the project access point) is proposed. Of the ten existing study intersections, Figure 35 indicates that four are currently signalized and six are stop-sign controlled. Of the six stop-sign-controlled intersections, two are four-way stop intersections.

Road Links:

- (12) Foothill Way (in Oakland);
- (13) MacArthur Boulevard between Dutton Avenue and Estudillo Avenue (in San Leandro);
- (14) Estudillo Avenue west of MacArthur Boulevard (in San Leandro); and
- (15) Lake Chabot Road east of MacArthur Boulevard (in San Leandro).

(3) Critical Freeway System Locations. Caltrans has identified the following local I-580 on- and offramps which could be affected by the proposed project:

- the southbound onramp from Grand Avenue;
- the northbound offramp to Estudillo Avenue (via Joaquin Avenue);
- the northbound onramp from Foothill Way;
- the southbound offramp to southbound MacArthur Boulevard;
- the southbound offramp to 106th Avenue; and
- the intersection of the southbound offramp and Stanley Avenue.

Caltrans has also noted that peak-period traffic on the freeway itself in the project vicinity is a significant concern (I-580 between Grand Avenue and 106th Avenue).

c. Local Roadway and Freeway Link Conditions

(1) Average Daily Volumes. Existing average daily traffic (ADT) volumes on major streets in the project vicinity are shown on Figure 36. Average daily traffic figures for streets in closest proximity to the project site are based on actual counts conducted by TJKM. Other ADT volumes shown were estimated from the TJKM peak-hour counts on Figure 36.¹

¹Peak hour field counts were conducted by TJKM for the roadway traffic volume locations shown on Figure 36. In addition, 24-hour machine counts were taken by TJKM at Foothill Way, Dutton Avenue east of MacArthur Boulevard, Dutton Avenue west of MacArthur Boulevard, and MacArthur Avenue south of Dutton Avenue. From these 24-hour counts, a peak hour percentage was determined. This peak percentage was then used to estimate the daily traffic volumes on other streets in the study area. In November 1990, TJKM conducted supplemental peak hour traffic counts at eight of these traffic count locations considered most indicative of local traffic conditions. Overall, the 1990 followup counts were consistent with the 1988 counts, and indicate that the impact and mitigation measures identified in this EIR remain applicable. A detailed description of the results of the 1990 supplemental traffic count is included in Appendix C of this EIR (November 20, 1990 letter from TJKM).

On local streets, average daily traffic volumes are highest along MacArthur Boulevard and Bancroft Avenue (north-south arterials) and along Dutton Avenue and Estudillo Avenue (major east-west connections).

Obviously, the highest average daily traffic volumes in the vicinity are along Interstate 580. Table 13 later in this chapter lists existing average daily traffic counts on I-580 in the project vicinity. Average daily traffic volumes between Grand Avenue and 106th Avenue range from 123,000 to 136,000 trips (two-way). TJKM also conducted peak-hour counts on this section of I-580 in March 1989.¹ Existing peak volumes in the heaviest direction were 1,720 vehicles per lane southbound during the PM peak hour. This existing volume is approaching the design capacity of the freeway (i.e., a volume-to-capacity ratio of 0.86), and results in LOS D, which is generally acceptable at peak traffic hours.

A volume of 1,720 vehicles per lane during the critical PM peak hour represents a volume-to-capacity ratio of 0.86 and an LOS D for the freeway section, with a 70-miles-per-hour (mph) design speed according to the Highway Capacity Manual, Transportation Research Board, 1985. LOS D is considered generally acceptable during peak hours when average travel speeds of 46 mph or more are being maintained on 70 mph freeway segments. LOS E, an unacceptable level, would be encountered at a traffic volume of 1,850 vehicles per lane.

(2) Peak Period Traffic Counts. To determine existing traffic volumes, circulation patterns, and operational conditions on the local road system, traffic counts were recorded by TJKM for the AM and the PM peak traffic hours at various key road links in the project vicinity.² Existing AM and PM peak-hour volumes on major streets in the project vicinity are shown on Figure 37. Existing peak-hour volumes on I-580 in the vicinity, including local on- and offramps, are listed in Table 13 later in this section.

d. Local Intersection Conditions

(1) Study Intersections and Freeway Ramps. Intersection operation is usually considered to be the critical factor in determining the traffic handling capacity of a local circulation system. As explained above, 10 local intersections have been identified by the Public Works staffs of the cities of Oakland and San Leandro as key study intersections that are most likely to be affected by increased traffic from the project. In addition, Caltrans has identified six local I-580 on- and offramps which could be affected. Existing operational conditions at each of these 16 locations have been analyzed by TJKM, using one or more of the three methodologies described below.

¹March 13 and 14, 1989.

²Local road system traffic counts were taken by TJKM on November 10, 1987; January 4 and 15, 1988; January 19 through 22, 1988; January 25 and 26, 1988; and February 3, 1988. Traffic counts on the freeway were taken on March 13 and 14, 1989.

(2) Intersection Analysis Methodologies. The *intersection capacity utilization* (ICU) method was used in this EIR to measure intersection operation during peak traffic periods at all selected intersection and freeway-ramp locations except the two existing four-way stop intersections (Foothill Boulevard/106th Avenue and Grand Avenue/Dolores Avenue). The ICU method considers the volume-to-capacity (V/C) ratios for each direction of travel at an intersection or freeway ramp, to determine an overall (composite) intersection V/C ratio. The composite V/C ratio is in turn an indicator of the ***level of service (LOS)***.

Table 11

EXISTING I-580 INTERCHANGE CONDITIONS--RAMP LEVEL OF SERVICE ANALYSIS¹

<u>Ramp</u>	<u>AM Peak Hour</u>	<u>PM Peak Hour</u>
S/B on from Grand Avenue	C	D
r N/B off Estudillo (via to Joaquin Avenue)	B	B
r N/B on from Foothill Way	B/C	B/C
S/B off to S/B MacArthur Boulevard	B	C
S/B off to 106th Avenue	B	C
r Intersection of S/B offramp and Stanley Avenue	--	A

SOURCE: TJKM Transportation Consultants, February and March 1989

¹Based on Highway Capacity Manual Special Report No. 209, Transportation Research Board, 1985.

e. Existing Local Traffic Safety Concerns

There are some existing significant safety concerns on local streets west of I-580 due to freeway-bound drivers seeking alternative routes to the freeway that are less congested and faster than MacArthur Boulevard. Such drivers may travel through San Leandro residential neighborhoods west of MacArthur, or make illegal traffic maneuvers on MacArthur, particularly in accessing local southbound freeway ramps.

f. Existing Local Transit Service

Transit service in southeast Oakland is provided by AC Transit. AC Transit operates four bus lines in the area, RCV, 39X, 55, and 40, with service to the Sheffield Village subdivision via Marlow Drive. The RCV line provides express bus service between Castro Valley and downtown San Francisco. The 34C line provides express bus service between Castro Valley and downtown Oakland. The 55 line provides local bus service between Sheffield Village and the San Leandro Marina via the San Leandro BART station. The 40 line provides local bus service from southeast Oakland-northeast San Leandro to downtown Oakland along MacArthur Boulevard and Foothill Boulevard.

The RCV line has a current ridership of 400 passengers per day, which represents 75 percent of line capacity. Ridership data is not available for the other three lines; however, AC Transit indicates that these bus lines are operating below full capacity.

2. PROJECT IMPACTS

a. Proposed Project Access and Internal Circulation

(1) Proposed Offsite Roadway Modifications. The existing configuration of the local roadway network is diagrammed on Figure 34. As shown, access to the immediate vicinity of the proposed project access drive is currently provided either by travelling along Foothill Way, then east along Revere Avenue to the first Marlow Drive intersection, then along Marlow to Covington Street, or by traveling directly along Marlow (from Dutton or Foothill) to Covington.

The *1985 Trafficways Map* of the Oakland Comprehensive Plan calls for construction of a north-south interconnection between Foothill Way and Peralta Oaks Drive. In response to this city objective, and to facilitate access to the Dunsmuir Heights development, the applicant has proposed modifications to Foothill Way and Peralta Oaks Drive, as shown on Figure 38. The modifications would include construction of a southerly extension of Peralta Oaks Drive to connect with Foothill Way near the existing south entrance to the Dunsmuir House and Gardens complex, and associated realignment of the northbound I-580 onramp at Foothill Way. Such an extension would create a frontage road along the easterly side of I-580.

Figure 14 in section III of this EIR illustrates in more detail the proposed configuration of the proposed Peralta Oaks-Foothill extension and related project access drive connection. As shown on Figures 14 and 38, the proposed design of the Foothill Way extension and associated realignment of the northbound I-580 onramp includes closure of the existing Foothill Way link to MacArthur Boulevard. This disconnection has been requested by Caltrans because of the limited existing distance for diverge movements.

The Peralta Oaks-Foothill Way extension design also includes termination of the existing Covington Street cul-de-sac west of Marlow Drive, and replacement of the existing Covington Drive southern entrance to the Dunsmuir House and Gardens facility with a new southern entrance off of the new Peralta Oaks Drive-foothill Way extension. The applicant proposes to construct this new southern entrance in a configuration which re-establishes the south entrance as the main entry to the Dunsmuir House and Gardens facility. The entrance design (Figure 14) includes a bus pull-off area on each side of Peralta Oaks Drive-Foothill Way for use by Dunsmuir House and Gardens visitors, existing Sheffield Village residents, and residents of the project (the latter would have to drive to and from the project residential areas approximately two-thirds of a mile away via Dunsmuir Heights Road).

As shown earlier on Figures 14 and 16, the proposed entryway design would consist of a 50-foot-wide initial street section right-of-way (32 feet of pavement, curb-to-curb) that would extend from the centerline of the Peralta Oaks-Foothill Way extension to the proposed entry gate. This initial 280-foot segment would be publicly dedicated. It would also incorporate a service entrance to the Dunsmuir House and Gardens complex immediately west of the project entry gate. As shown on Figure 16, the 50-foot-wide right-of-way here would incorporate two 16-foot travel lanes, 5-foot sidewalks on both sides, and a sound wall on the Sheffield village side of the street.

Typical activities at the Dunsmuir House and Gardens complex would not be expected to coincide with peak period traffic volumes generated by the project on Dunsmuir Heights Road. The weekend peak traffic for the project plus the Dunsmuir House southern entry would be expected to be less than the combined weekday peak traffic volume.

Figure 14 indicates that an unstaffed **entry gate** and visitor identification station/callbox facility are proposed. The entry gate would operate automatically (electronically) by entering project residents. Visitors would use the call box to identify themselves; the entry gate could then be operated remotely by project residents. The exit gate would open automatically for all exiting vehicles. The Police and Fire Departments have drafted a policy regarding an acceptable means by which emergency and service vehicles can gain access to gated residential developments.¹ In the event of a power failure the gate could be operated by a back-up battery system or hand crank. Municipal service and emergency access impact concerns and associated mitigation measures are further described in section IV.G of this EIR (Municipal Services).

(3) Proposed Hillside Access Road. From the proposed project entry gate eastward, the 50-foot-wide private two-way section of Dunsmuir Heights Road would continue for approximately 220 feet, where it would then split into two single-direction hillside roads, a one-way inbound, and one-way-outbound route or "couplet." According to the project civil engineer, the inbound (uphill) road would be 28 feet wide, including a 20-foot pavement width (curb-to-curb) containing one 12-foot travel lane and an 8-foot emergency parking lane, plus a sidewalk on one side. The outbound (downhill) road would be 22 feet wide, including a 19-foot pavement width (curb-to-curb) containing one 12-foot travel lane and a 7-foot emergency parking lane (see Figure 16). Thus, with an emergency-parked vehicle on the downhill road or on the sidewalk side of the uphill road, neither road would provide the standard 20 feet of working clear area required by the Fire Department. This situation would represent a minor (less than significant) impact. (Emergency vehicles could still get by, unless a number of vehicles were emergency-parked continuously along a long section

¹Chief Robert W. Nichelini, Deputy Chief of Police, City of Oakland, written communication, April 18, 1991. Unmanned gates are required to provide exit-on-demand features. Access for non-emergency routine patrol and inspection may be provided by a key switch keyed to the city's call box system since that key is presently carried by police and fire personnel. All unmanned gates must be capable of being activated (opened) by the sound of the standard emergency vehicle siren "yelp" mode.

of the route.¹⁾

Figure 18 earlier in this EIR illustrates the gradient aspects of this hillside access road. According to the project civil engineer, the inbound road would have a maximum grade of about 15 percent for the first 1,500 feet (0.3 miles) in length past the split, and an average uphill grade of 13.4 percent for the entire 3,000-foot split segment. The outbound road would have a maximum grade of approximately 17 percent for the first 1,500 feet above the split, and an average downhill grade of 12.5 percent for the entire 3,000-foot split segment. The 17 percent grade on the downhill segment of project entry road would exceed the 16 percent maximum grade standard that the City of Oakland has set for collector streets (16 percent for collector streets, 20 percent for local streets),² and thus would represent a significant impact.

(4) Proposed Emergency Access Connection. As shown earlier on Figure 18, an emergency access connection is proposed from the Cranford Way cul-de-sac in Sheffield Village to Dunsmuir Heights Road. The applicant proposes that a key would be the only means of opening the emergency-only access gate at the terminus of Cranford Way. The applicant proposes to provide the city with a master key for emergency vehicles.³ The applicant proposes that this gate would remain locked for both entry and exit. The applicant also states that, alternatively, this gate could be equipped with an exit-on-demand feature as a safety precaution. The existing dirt fire trail here would be replaced with an all-weather-surfaced street.

The emergency access road would provide a connection between the current terminus of Cranford Way and the proposed terminus of a project residential street that intersects with the main project access road, Dunsmuir Heights Drive, at the top of the hill where the inbound and outbound roads converge. This proposed connection is shown on Figure 18.

Provision of an exit-on-demand feature, or elimination of the gates as suggested by the city's Police and Fire Departments, would allow use of this emergency access road as an alternative egress or ingress-and-egress route to and from the project. According to estimates and computations by TJKM, the distance from this point to Foothill Way via Cranford Way and Revere Avenue is approximately 5,150 feet (0.98 miles). Assuming an average speed of approximately 25 miles per hour, it would take approximately 2.3 minutes (140 seconds) to travel this distance. The distance from this point to Foothill Way via

¹I. Jeeva, P.E., Supervising Transportation Engineer, Oakland Office of Public Works, October 1990.

²Tad Matsumoto, Supervising Civil Engineer, Oakland Public Works Department, personal communication, December 14, 1988.

³While this has been proposed by the applicant, such an access system may not be acceptable to city departments with emergency vehicles.

Dunsmuir Heights Drive would be approximately 3,250 feet (0.62 miles). Assuming an average speed of 25 miles per hour, it would take 1.5 minutes (88 seconds) to travel this distance. Given the circuitous nature of the emergency access road, its narrow 20-foot pavement width, and the substantially longer travel time in comparison to Dunsmuir Heights Road, it is unlikely that project residents or visitors would routinely use this route when entering or exiting the project. Additional daily traffic on Cranford Way and Revere Avenue due to normal vehicle use of the emergency access route would not be expected to exceed 25 trips per day with an exit-on-demand gate (approximately one percent of all traffic exiting the project), or 50 trips per day with no gate. These increases would have a noticeable but less than significant effect on neighborhood quality along Cranford Way, and not represent a significant traffic impact.

r The adequacy of the proposed emergency access road in meeting the emergency/secondary access needs of the 507-unit residential project is discussed in a number of subsequent sections of this EIR, including Geotechnical and Grading Factors [sections IV.D.3.a(3), IV.D.3.b(2), and IV.D.4.a(2)], Police Protection [IV.G.1.b(2) and (3)], Fire Protection [IV.G.2.b(4) and (6)], and Project Access (V.B.3.b and c, V.B.4.b, V.C.3.b and V.C.4.c). The conclusion is that the one emergency access road would be inadequate and could result in significant access impacts, due to nearby active fault conditions, underlying slope stability factors, and emergency response time considerations.

(5) Proposed Internal Circulation. Figure 18 diagrams the project's proposed internal roadway system. As it enters the South Subarea of the project (see Figures 10 and 18), the split access road segment would converge into one two-way, 40-foot-wide **loop road** (32-foot pavement width) containing two 12-foot travel lanes, one 8-foot parking lane, and a sidewalk on one side. The 40-foot-wide loop road would interconnect the project's residential development areas. Secondary, **internal roads** would provide access to most onsite residential units. These private, secondary internal streets would be either 40-foot or 30-foot wide (24-foot pavement width containing two 12-foot travel lanes and a sidewalk on one side), depending on location, specific onstreet parking needs, and grading constraints, and would incorporate a sidewalk on one side of the roadway.

The 40-foot street width roadway segments would provide for an *8-foot parking lane* on the sidewalk side. In portions of those residential areas serviced by the 30-foot-wide road sections, **parking bays** would be installed in proximity to residential clusters and residential areas to provide additional parking spaces (see Figure 11).

The internal roadway widths, turning radii, and gradients shown on Figure 18 appear to be adequate to accommodate safe and comfortable 25 mph driving speeds on the loop road, and 15 mph driving speeds on the internal minor streets and cul-de-sacs. No significant internal traffic flow or safety impacts with respect to the proposed internal roadway layout have been identified. The proposed configuration of internal curbside parking provisions, which are described in more detail below, would allow for adequate emergency vehicle clearance.

Curbs and gutters would be provided along both sides of all internal streets. In addition, sidewalks would be provided along one side of all internal streets in the residential areas, along one side of the dual hillside access road (the inbound side), and along both sides of the Dunsmuir Heights entrance road (see Figure 16).

(6) Trails. The applicant indicates that a system of all-weather surfaced trails would be installed to provide access to all project landscaped open space areas, although the trail system layout has not been indicated on the applicant's preliminary illustrative site plan.

b. Proposed Project Parking Provisions

(1) Proposed Parking Ratio. Overall, a total of 1,476 parking spaces would be provided for the 507 project homes. The parking plan would include 514 integrated single-family home garage spaces and 242 attached townhouse garage spaces, for a total of 756 covered parking spaces. An additional 720 uncovered spaces would be available both in onstreet parking lanes and in several parking bays located in the various residential subareas. With these covered and uncovered provisions, the proposed *parking ratio* for the development would be approximately *2.91 spaces per dwelling unit*.

As generally indicated on Figures 7 and 11, *parking bays* would be provided adjacent to the 30-foot (24-foot pavement width) streets in the residential clusters. Onstreet parking would be prohibited along these narrower streets. Onstreet parking would be permitted along the 40-foot roadway sections. The 40-foot (32-foot pavement width) sections would include an eight-foot *parking lane* in addition to the two 12-foot travel lanes.

The 507 project units would be expected to generate a demand for approximately 1.1 to 2.0 parked vehicles per unit during the peak parking hours.¹ The proposed covered garage spaces would provide for most of this expected parking need. The uncovered spaces would provide for the remaining need, plus an additional amount that would exceed the ITE typical demand figures. Therefore, the project's 2.91 spaces per unit ratio would be expected to be sufficient to serve the project-generated parking demand.

The two tennis courts would also have parking spaces allocated to them. The preliminary development plan indicates that six open parking spaces and two loop road spaces, for a total of eight spaces, would be provided for the two tennis courts. The common swimming pool facility would include approximately 14 assigned spaces.

Because of the separation between the project residential areas and Sheffield Village, no project-related increases in onstreet parking would be expected to occur in the existing

¹This per unit range is based upon review of per dwelling unit figures for single family units published in the following parking criteria publications: Institute of Transportation Engineers, Parking Generation, Second Edition, 1987; International Parking Design, Municipal Parking Standards for 115 Selected Cities, August 1987.

e. Impact Significance Criteria

(1) Roadway Links. For critical roadway links that are currently operating within design capacity, any project-related or cumulative traffic increase that exceeds the design capacity of the roadway is identified in this analysis to be a significant environmental impact. For critical roadway links that are already carrying traffic flows in excess of design capacity, any increase in traffic would contribute to an existing significant impact. In such existing excess traffic flow situations, a project-related or cumulative increase of five percent or more is considered in this EIR to represent a noticeable, significant additional impact.

(2) Intersections. The City of Oakland uses LOS D operation as the acceptable limit.¹ The City of San Leandro also uses the LOS D standard.² (At LOS D conditions, excessive and continuous back-ups in traffic at an intersection would not occur. However, at peak hours some drivers may have to wait at the intersection for more than one signal cycle.) Based on these standards, a change in LOS to a rating worse than D is considered in this EIR to represent a significant adverse impact on the local Oakland/San Leandro roadway system. For all affected Caltrans freeway ramps, a change in LOS to a rating worse than D is also considered in this EIR to represent a significant environmental impact.

f. Project Impacts on Local Roadway Links

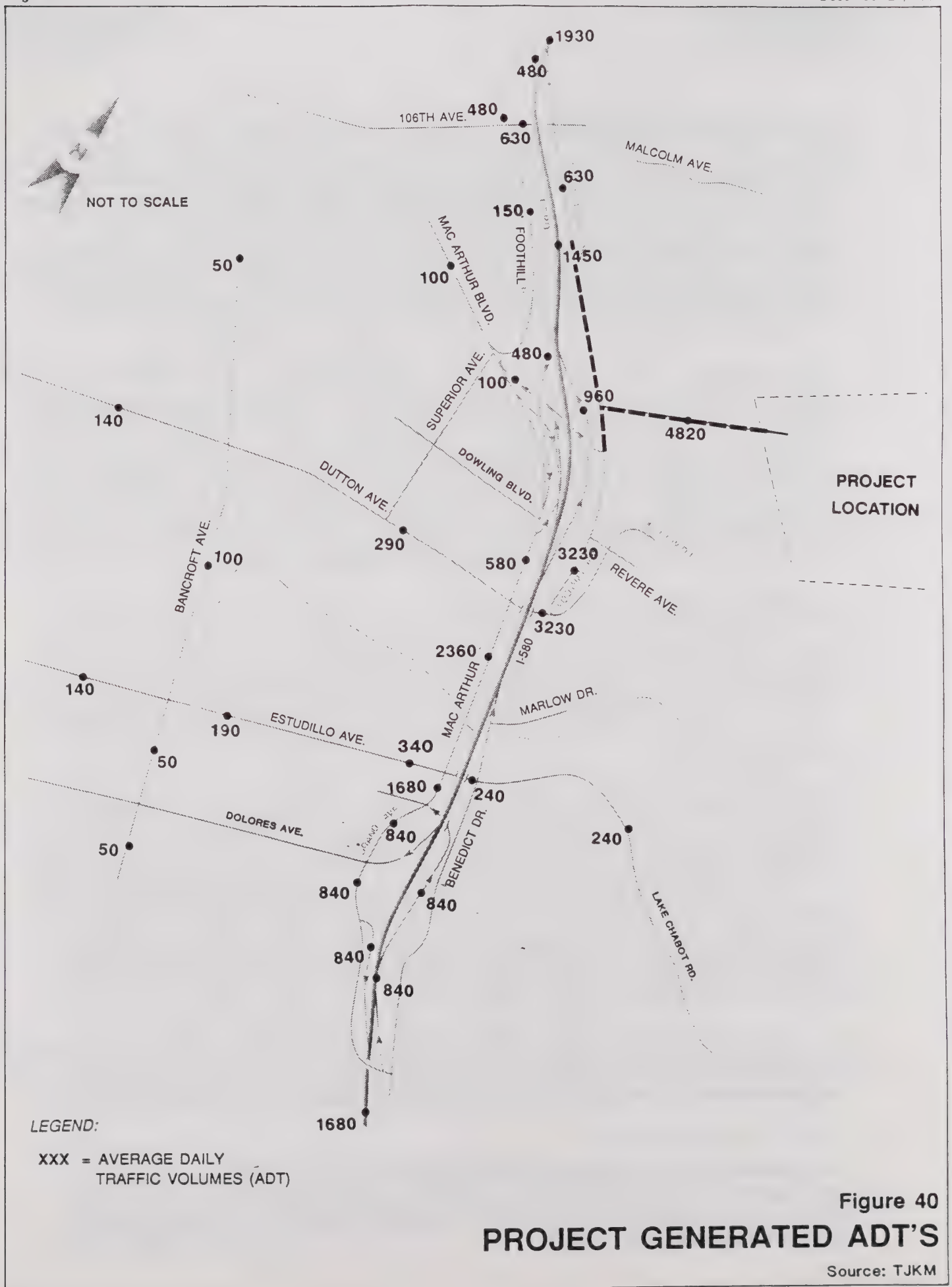
Projected existing-plus-project average daily and peak period traffic levels for the various roadway links in the project vicinity were determined by adding projected traffic contributions from the project to existing traffic counts. Existing-plus-project average daily traffic (ADT) volumes are shown on Figure 42. Existing-plus-project peak-hour volumes are shown on Figure 43.

Figure 42 indicates that the greatest change in traffic volumes would be on Foothill Way, where ADT volumes would increase from 2,690 daily trips to 5,920 daily trips. ADT volumes on Dutton Avenue between MacArthur Boulevard and Foothill Way would increase from 4,230 daily trips to 7,460 daily trips. ADT volumes on Peralta Oaks Drive near 106th Avenue would increase from 920 daily trips to 1,550 daily trips. Additionally, MacArthur Boulevard between Dutton Avenue and Estudillo Avenue would increase from between 9,830 and 9,940 to between 12,533 and 12,643 average daily trips. Project impacts on specific local roadway links are described below.

(1) Local Neighborhood Streets. Dunsmuir Heights Road would be the only normal access route to the project. As explained on page 230, the applicant proposes that a key would be the only means of opening the emergency-only access gate at the terminus of

¹Lawrence Tai, Traffic Engineer, Office of Public Works, City of Oakland.

²Tim Taira, Traffic Engineer, San Leandro Community Development Department, personal communication, September 27, 1988.



December 27, 1990

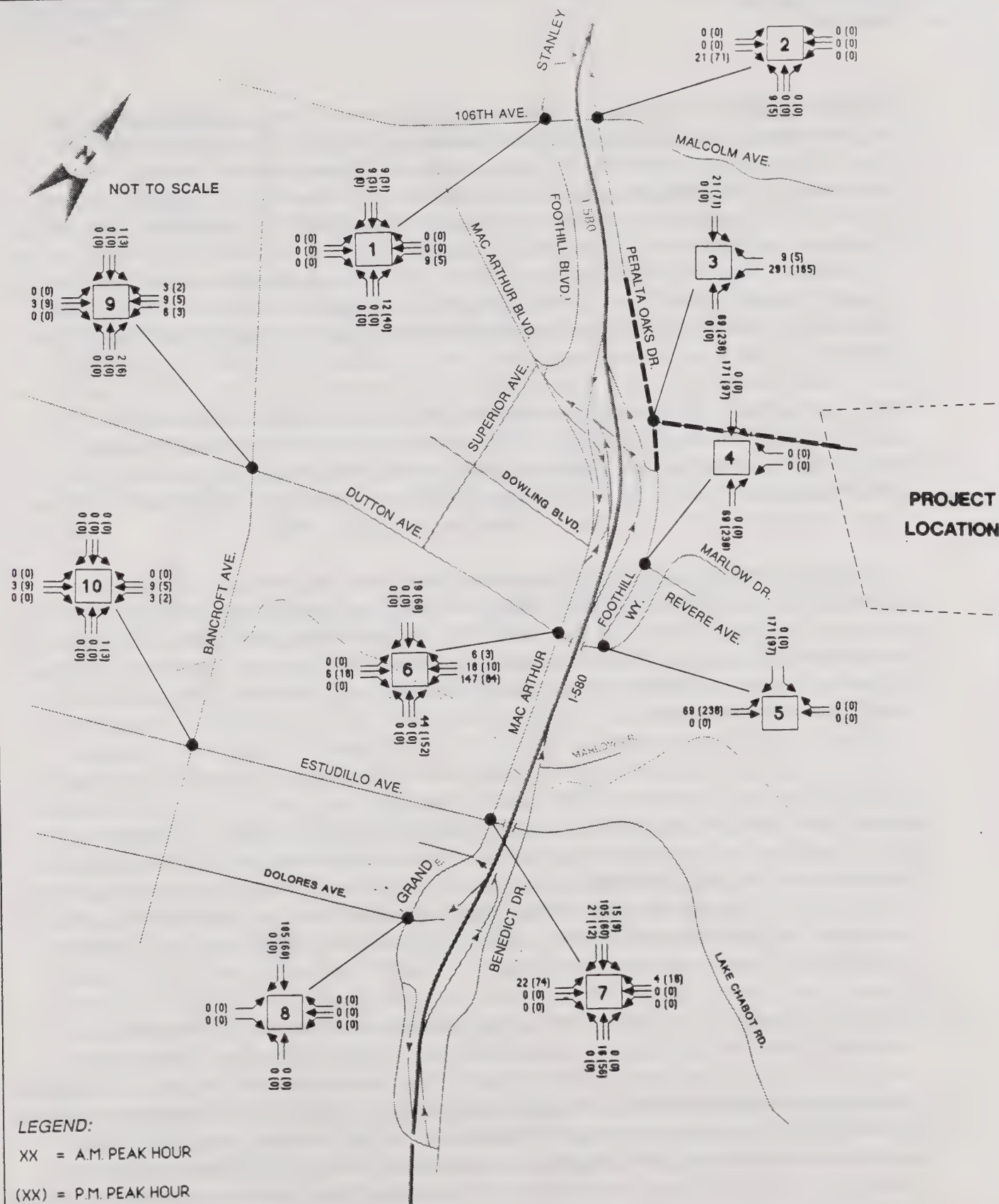


Figure 41
**PROJECT GENERATED
PEAK-HOUR TRAFFIC VOLUMES**

Source: TJKM

Dunsmuir Heights Oakland, California

Cranford Way. However, the applicant also states that, alternatively, this gate could be equipped with an exit-on-demand feature as a safety precaution. As explained on page 231, additional daily traffic on Cranford Way and Revere Avenue due to normal vehicle use of the emergency access road would not be expected to exceed 25 trips per day with an exit-on-demand gate (approximately one percent of all traffic exiting the project), or 50 trips per day with no gate. These increases would not represent a significant impact on Sheffield Village residential streets (Cranford Way, Revere Avenue, etc.). There are no proposed project connections or anticipated project-generated increases in normal traffic volumes on Chabot Park Highlands residential streets (Malcolm Avenue, Golf Links Road, etc.).

(2) Foothill Way. Foothill Way (location #12) ADT volumes would increase from 2,690 daily trips to 5,920 daily trips. The existing average daily traffic volume of 2,690 is considered low for a facility designed to provide through-access to the freeway. The project-related increase to 5,920 daily trips would be well within the design capacity of the route, and therefore would represent a less than significant impact.

(3) MacArthur Boulevard. Traffic volumes on MacArthur Boulevard between Estudillo Avenue and Dutton Avenue (location #13) would increase from between 9,830 and 9,940 to between 12,533 and 12,643 average daily trips. Projected PM peak volume totals with the project (944 southbound, 427 northbound) would be within the design capacity of this road segment (two lanes southbound, one lane northbound), and therefore would represent a less than significant impact.

(4) Estudillo Avenue. Traffic volumes on Estudillo Avenue west of MacArthur Boulevard (location #14) would increase by 340 average daily trips; i.e., from 11,170 to 11,510 daily trips. The existing PM peak-hour eastbound volume of 815 trips already exceeds the design capacity (650 to 750 vehicles per lane) of this two-lane route. Projected peak-hour totals with the project (887 eastbound vehicles during the PM peak hour) would represent a 9 percent traffic volume increase on this already impacted road link, and therefore would represent a significant environmental impact. The project would generate 72 of the 887 eastbound PM peak trips along this route.

(5) Lake Chabot Road. Traffic volumes on Lake Chabot Road east of MacArthur Boulevard (location #15) would increase from 3,000 to 3,240 daily trips. There are two eastbound lanes on this route west of Benedict Drive, one eastbound lane east of Benedict Drive, and one lane westbound. Projected peak-volume totals with the project (260 vehicles per PM peak hour eastbound, west of Benedict Drive; 1,227 vehicles per peak hour eastbound between MacArthur Boulevard and Benedict Drive; and 306 vehicles per AM peak hour westbound) would be within the design capacity of the route, and therefore would represent a less than significant impact.

(6) Dutton Avenue. Traffic volumes on Dutton Avenue west of MacArthur (location #16) would increase from 11,170 to 11,510 average daily trips. The principal peak-hour project impact would be an increase of AM westbound and PM eastbound traffic from 51 to 68, and from 223 to 241, respectively. This segment of Dutton is classified as a commercial collector street by the City of San Leandro. These volume increases can be accommodated within the city's level-of-service standards, i.e., no significant environmental impact could be anticipated.

(7) Local I-580 Freeway Segments. Table 13 lists recorded existing and project ADT volumes and percentage increases for I-580 freeway segments and freeway ramps in the project vicinity. Existing-plus-project ADT volumes along I-580 are also shown on Figure 42. These exhibits indicate that the project would result in roughly a 1.5 percent increase in daily traffic volume along the nearby segment of I-580. Average daily traffic volumes along the nearby segment of I-580 would increase from roughly 130,000 to 132,000 average daily trips south of the project site and from roughly 136,000 to 138,000 trips north of the site.

The local I-580 segment with the highest current peak-hour flow is north of the 106th Avenue interchange, where recent counts indicate 1,720 vehicles per lane per hour¹ in the critical PM peak-hour southbound direction. This represents a volume-to-capacity ratio of .86; i.e., a level of service D.² The project would add approximately 125 more southbound PM peak-hour vehicles, for a total of approximately 1,310 vehicles per lane and a relative increase of 1.8 percent, resulting in a volume-to-capacity ratio of 0.88, which would still represent a level of service rating of D. Therefore, the project would have a less than significant operational impact on this critical local freeway segment.

(8) I-580/Grand Avenue Southbound Onramp. An existing-plus-project peak traffic period level of service analysis has also been completed by TJKM for the six local freeway ramps of concern in the project vicinity, based on the projected traffic increases shown in Table 13. The results of the LOS analysis which pertain to the critical point of ramp merge or diverge from the freeway, are shown on Table 14. The table indicates that the project would have a significant impact on the southbound onramp from Grand Avenue, where the PM peak-hour level of service would decrease from D (existing) to E, meaning significant onramp queues may be experienced. Traffic volume data for each relevant I-580 on/off-ramp are shown in Appendix C.

(9) I-580/Foothill Way Northbound Onramp. Table 14 also indicates that the project would have a less than significant peak-hour impact on the northbound onramp from Foothill Way, although the new ramp would experience a service level of D, meaning more slowing in freeway lanes as onramp traffic merges.

¹TJKM counts, March 13 and 14, 1989.

²1985 Highway Capacity Manual, ITE.

g. Project Impacts on Local Intersections

Table 15 indicates project impacts on levels of service at the key local intersections. The table indicates that project contributions to daily traffic volumes would be expected to change the LOS classifications at four of the analyzed intersections: **(6) MacArthur/Dutton Avenue, (7) MacArthur Boulevard/Estudillo Avenue, (10) Bancroft Avenue/Estudillo Avenue, and (11) MacArthur Boulevard/Foothill Boulevard/Superior Avenue.**

Table 16 also lists the relative project contribution to traffic volumes (percentage increases) at the selected study intersections. Specific project impacts on key intersections are described below.

(1) Peralta Oaks Drive-Foothill Way/Dunsmuir Heights Road Intersection. As indicated by Table 15, the to-be-constructed Peralta Oaks Drive-Foothill Way extension/Dunsmuir Heights Road intersection would be expected to operate at LOS A during both AM and PM peak-hours, i.e., a less than significant impact.

(2) MacArthur Boulevard/Estudillo Avenue Intersection. At the MacArthur/Estudillo intersection, the PM peak-hour level of service would deteriorate from LOS C to LOS D (with a corresponding increase in the V/C ratio from .77 to .84). Although excessive and continuous back-ups in traffic would not be expected, some drivers may have to wait at the intersection during the PM peak hour for more than one signal cycle. Based on the LOS standards of both cities, this effect would represent a less than significant operational impact.

(3) Bancroft Avenue/Estudillo Avenue Intersection. At the Bancroft Avenue/Estudillo Avenue intersection, the PM peak-hour level of service would change from LOS B to LOS C (with a minor corresponding increase in the V/C ratio from .70 to .71), a less than significant operational impact.

(4) MacArthur Boulevard/Dutton Avenue Intersection. At the MacArthur/Dutton intersection, the PM peak-hour level of service would change from LOS A to LOS B (with a corresponding increase in the V/C ratio from .55 to .63), also a less than significant operational impact.

(5) Foothill Boulevard/106th Avenue Intersection. The project would contribute to, but would not change existing significant delays (LOS D and E, respectively) at the Foothill Boulevard/106th Avenue intersection during the AM and PM peak hours.

(6) Peralta Oaks Drive/106th Avenue Intersection. Although the Peralta Oaks Drive/106th Avenue intersection would continue to operate at LOS A to LOS B overall, the project would add to the existing significant delays (LOS D to LOS F) on the northbound approach to the intersection.

Table 13
PROJECT-GENERATED AVERAGE DAILY TRAFFIC ON I-580

<u>Caltrans Milepost</u>	<u>Freeway Segment</u>	<u>Project ADT</u>	<u>1986 ADT</u>	<u>Percent of Increase</u>
	South of Grand Ave.	1,680	130,000	1.3
R33.94				
	Grand Ave. to Estudillo Ave.	840	123,000	0.7
R34.48				
	Estudillo Ave. to Foothill Blvd.	0	128,000	0
R35.11				
	Foothill Blvd. to 106th Ave.	1,450	126,000	1.2
R35.71				
	North of 106th Ave.	1,930	136,000	1.4
	<u>Ramps</u>			
R34.091	SB on from Grand Ave.	840	7,000	12.0
r R34.261	NB off to Estudillo (via Joaquin Ave.)	840	5,100	16.5
R35.151	NB on from Foothill Way	960	2,650	36.2
R35.191	SB off to SB MacArthur Blvd.	480	5,300	9.1
R35.961	SB off to 106th Ave.	480	5,100	9.4

SOURCE: TJKM Transportation Consultants, May 1988.

Table 14
EXISTING-PLUS-PROJECT I-580 INTERCHANGE CONDITIONS--
RAMP LEVEL OF SERVICE ANALYSIS¹

Note: LOS ratings pertain to the critical point of ramp merge or diverge with the freeway.

Ramp	Existing		Existing + Project	
	AM Peak Hour	PM Peak Hour	AM Peak Hour	PM Peak Hour
S/B on from Grand Avenue	C	D	C	E
(with Mitigation) ²			C ³	D ³
r N/B off to Estudillo Avenue r (via Joaquin Avenue)	B	B	C	B
r N/B on from Foothill Way	B/C	B/C	D	B/C
S/B off to MacArthur Boulevard	B	C	B	C
S/B off to 106th Avenue	B	C	B	C

SOURCE: TJKM Transportation Consultants, November and February 1989

¹Based on Highway Capacity Manual Special Report No. 209, Transportation Research Board, 1985.

²Mitigation at MacArthur Boulevard/Foothill Boulevard/Superior Avenue.

³Project would not contribute any traffic at this location under this scenario.

Table 15
EXISTING PLUS PROJECT LEVEL OF SERVICE ANALYSES

Note: *Italics* indicate a worsening in the existing LOS rating listed in Table 10.

Critical Lane Method		AM Peak-Hour		PM Peak-Hour	
		V/C ¹	LOS ²	V/C ¹	LOS ²
(2)	Peralta Oaks Dr./106th Ave.	0.58	A	0.64	B
(3)	Peralta Oaks Dr./Dunsmuir Heights	0.36	A	0.42	A
(4)	Foothill Way/Revere Ave.	0.33	A	0.43	A
(5)	Foothill Way/Marlow Dr.	0.45	A	0.51	A
(6)	MacArthur Blvd./Dutton Ave.	0.54	A	0.63	<i>B</i>
(7)	MacArthur Blvd./Estudillo Ave.	0.58	A	0.84	<i>D</i>
(9)	Bancroft Ave./Dutton Ave.	0.52	A	0.67	B
(10)	Bancroft Ave./Estudillo Ave.	0.49	A	0.71	<i>C</i>
(11)	MacArthur Blvd./Foothill Blvd./Superior Ave.	0.40	A	0.55	A

Multi-Way Stop Control Method ³		Volume	Capacity	Approximate LOS ²
(1)	Foothill Blvd./106th Ave.	AM 1,232	1,600	D
		PM 1,512	1,600	E
(8)	Grand Ave./Dolores Ave.	AM 1,148	2,650	B
		PM 1,472	2,650	C

Unsignalized Intersection Capacity Analysis ³		Adjusted Volume	Capacity	Reserve Capacity	LOS ²
(2)	Peralta Oaks Dr./106th Ave.				
	Northbound Approach	AM 42	171	129	D
		PM 231	174	-57	F
	Eastbound Left	AM 424	800	376	B
		PM 388	850	462	A
	Westbound Left	AM 0	870	870	A
		PM 2	800	798	A
(3)	Peralta Oaks Dr./Dunsmuir Heights Dr.				
	Westbound Approach	AM 330	837	507	A
		PM 188	672	484	A
	Southbound Left	AM 23	1,000	977	A
		PM 78	950	872	A
(4)	Foothill Way/Revere Ave.				
	Westbound Approach	AM 69	733	664	A
		PM 19	455	436	A
	Southbound Left	AM 3	900	897	A
		PM 12	740	728	A
(5)	Foothill Way/Marlow Dr.				
	Southbound Approach	AM 202	1,000	798	A
		PM 124	1,000	876	A
	Eastbound Left	AM 308	1,000	692	A
		PM 515	1,000	485	A
(11)	MacArthur/Foothill/Superior				
	Westbound Approach	AM 299	164	734	<i>F</i>
		PM 422	162	-261	<i>F</i>
	Eastbound Approach	AM 37	429	393	B
		PM 29	449	419	A

SOURCE: TJKM Transportation Consultants, May 1988.

¹V/C = volume-to-capacity ratio

²LOS = level of service

³Level of service from the 1985 Highway Capacity Manual (Transportation Research Board), Chapter 10.

Table 16
PROJECT CONTRIBUTION AT STUDY INTERSECTIONS

Intersection	Project Volume		Percent Increase			
			Existing + Project		Existing + Project + Cumulative	
	AM	PM	AM	PM	AM	PM
(1) Foothill Blvd./106th Ave.	39	107	3.2	7.1	3.2	7.1
(2) Peralta Oaks Dr./106th Ave.	30	76	2.9	6.3	2.9	6.3
(3) Peralta Oaks Dr./Dunsmuir Heights	390	479	--	--	--	--
(4) Foothill Way/Revere Ave.	240	335	46.4	56.6	46.4	56.6
(5) Foothill Way/Marlow Dr.	240	335	41.5	46.9	41.5	46.9
(6) MacArthur Blvd./Dutton Ave.	240	335	18.4	17.6	18.5	17.3
(7) MacArthur Blvd./Estudillo Ave.	198	280	11.5	10.0	10.9	9.5
(8) Grand Ave./Dolores Ave.	105	60	9.1	4.1	8.8	4.0
(9) Bancroft Ave./Dutton Ave.	24	28	1.9	1.5	1.9	1.5
(10) Bancroft Ave./Estudillo Ave.	16	19	0.9	0.8	0.9	0.8

SOURCE: TJKM Transportation Consultants, May 1988.

If rerouting is implemented, related bus traffic would be added to Foothill Way. The accompanying overall reduction in peak-hour vehicular trips and the reduction in bus traffic along Marlow Drive would be expected to offset this Foothill Way bus traffic impact. The introduction of buses would nevertheless result in significant (noticeable) intermittent noise and air quality impacts on existing apartments along Foothill Way. (See section IV.F.2.a and IV.I.3.a of this EIR for more discussion of these transit related noise and air quality impacts.)

The proposed bus stops would not be convenient for general use by project residents. The bus stops would be between .75 and 1.2 miles from the various project residential clusters via a hillside access road with average grades of 12.5 to 13.4 percent. However, the proposed 40-space parking lot at the foot of the project access road (Figure 14) would provide a possible transfer point to facilitate commute hour transit use by some project residents. Based on the bus stop proximity constraints described above, TJKM estimates that commute-period transit ridership from the project would amount to approximately 50 riders. If this, or a slightly higher commute period park-and-ride transit use rate was realized, there would be adequate capacity on the affected transit lines. However, related parking needs, in combination with Dunsmuir House parking needs, would probably slightly exceed the capacity of the proposed 40-space parking lot, resulting in significant onstreet parking impacts along Foothill Way.

Although the proposed 507-unit residential project would warrant provision of transit service to reduce vehicular traffic impacts, its proposed ridgetop layout and long, hillside access road would make transit routing along its internal collector loop impractical.

j. Project Construction Period Transportation Impacts

(1) General. Transportation impacts during the project construction period would include temporary traffic disruptions and delays associated with offsite road construction, and temporary increases in construction worker commute traffic, construction equipment transport traffic, and construction materials transport traffic.

Construction worker traffic increases would occur primarily during the peak traffic hours, but the direction of traffic flow would be in the opposite direction from existing local flows. The applicant states that temporary parking for workers would be provided onsite. Equipment and materials transport traffic would continue during weekday work hours throughout the five- to six-year construction program. The heaviest truck traffic would probably occur during the first three months of Phase 1 when all project rough grading for internal roadways and residential development areas would occur. If heavy equipment and materials transport occurs during the AM commute period, significant temporary traffic impacts could occur.

(2) Offsite Roadway Construction. Construction of project-related offsite roadway improvements would result in temporary impacts on affected local roadways. The first

project phase would include the construction of the Peralta Oaks Drive-Foothill Way extension and the I-580 Foothill Way onramp modifications (as soon as the necessary permits and authorizations are received from Caltrans, EBMUD, and the city). All project construction traffic would then be limited to that route.

The proposed closure of the existing Foothill Way northbound onramp and construction of a new northbound ramp would be expected to result in a 3- to 6-month period when neither onramp would be open. This situation may result in a temporary period of significant additional traffic congestion along alternative freeway access routes (Benedict Drive, etc.).

Construction of the Peralta Oaks Drive-Foothill Way extension, realigned I-580 onramp, and new southern entrance to the Dunsmuir House facility, would result in unavoidable temporary traffic delays and inconveniences along Foothill Way, and at the MacArthur Boulevard/Dutton Avenue intersection. These delays would represent significant temporary impacts. Construction of these offsite road facilities would also result in significant temporary daytime noise impacts on the liveability of apartment residential units along Foothill Way for the duration of this extension construction phase, which is estimated to take 3 to 6 months. When complete, however, the new route would contribute to the mitigation of subsequent project construction period traffic impacts on local minor streets.

(3) Onsite Construction. After completion of these offsite roadway modifications, the next construction phase would include grading of the project access road and residential areas. All project rough grading would be completed in the same initial phase. The grading of the onsite project roads and residential clusters would require the transport of heavy equipment to the site along the new Peralta Oaks Drive-Foothill Way extension. Subsequent onsite construction phases would also add temporary truck traffic and construction worker commute traffic to this route and to related connector roads and intersections, depending on the regional access routes selected by construction period drivers. Heavy trucks are not allowed on I-580 north of the 106th Avenue interchange (state-designated Scenic Route). As a result, project construction period heavy truck traffic to and from northern designations would have to follow a designated San Leandro east-west truck route to I-880, SR 238 via I-580 south or designated truck routes in Oakland via MacArthur Boulevard or Bancroft Avenue to 98th or 73rd Avenues.

These temporary truck traffic and construction worker traffic impacts would occur throughout the remaining approximately five-year construction period. By limiting related local construction period traffic increases on local streets to the new Peralta Oaks Drive-Foothill Way/Dunsmuir Heights Road extension and designated truck routes, project construction period traffic impacts on local streets would be mitigated to less than significant levels.

3. CUMULATIVE IMPACTS

a. Anticipated Cumulative Development

In the project vicinity, there are three additional possible sites of substantial size that might possibly be subject to residential development in the foreseeable future:¹ the 21.2-acre Melrose Baptist Church property in the Chabot Park Highlands subdivision; the 182-acre, county-owned Fairmont Ridge property on Fairmont Drive, and the 60-acre San Leandro Rock Company quarry site on Lake Chabot Road. The development capacity of the church property has been identified in this EIR as 12 units (although the actual feasible development yield is probably less than 12). The quarry site is in the San Leandro planning area, approximately one mile from MacArthur Boulevard on Lake Chabot Road. The quarry site has been assigned a maximum total yield of 200 homes in this analysis.² Fairmont Ridge, approximately 3 miles south of the Dunsmuir project site, is assigned a maximum total yield of 407 residential units in this analysis.³ In addition, the East Bay Regional Park District (EBRPD) has recently acquired an existing office building at 2950 Peralta Oaks Court that has been vacant for several years. The EBRPD intends to occupy this building with its headquarters staff of 140 persons.

Development of the church site could be expected to generate, at most, 120 additional vehicle trips per day on Malcolm Avenue, a relatively insignificant increase with no noticeable impact on the Peralta Oaks Drive/106th Avenue intersection. On the other hand, the 140 anticipated additional employees at the EBRPD office would have direct traffic impacts on the Peralta Oaks Drive/106th Avenue and other critical road system locations examined in this analysis. Because the quarry site would be served by Lake Chabot Road, any related future traffic generation can also be expected to have a significant impact on the critical local roadway system locations (Lake Chabot Road, Estudillo Avenue, the MacArthur Boulevard/Estudillo Avenue and Grand Avenue/Dolores Avenue intersections, etc.). The cumulative traffic generation, distribution, and roadway system impacts of the EBRPD office proposal and the quarry site are analyzed below. Because the Fairmont

¹Based on Wagstaff and Associates and TJKM review of other recent EIRs for projects in the subregion, review of recent title reports (Melrose Baptist Church and Drinnen properties), and conversations with the Oakland and San Leandro planning staffs.

²The 200-unit total assigned in this EIR is based on an assumed density of approximately 3 units per acre for the 62-acre site, even though a 134-unit PUD proposal for this site was recently denied by the City of San Leandro Planning Commission. That Commission decision is currently being appealed to the San Leandro City Council by the applicant.

³This assigned figure comes from the unadopted Fairmont Hills Specific Plan, Administrative Draft, February 1988, page 4-23. Negotiations are currently underway regarding the possible transfer of the property from the county to EBMUD as permanent open space. However, for conservative cumulative impact assessment purposes, the analyses in this EIR still assume possible future development of the site.

- r Ridge property would be served exclusively by Fairmont Drive, which connects with the local roadway system south of 150th Avenue, its future traffic generation would not be expected to have a significant impact on the critical locations examined in this EIR. Nevertheless, to ensure consideration of the cumulative impacts of this site, the analysis incorporates projections made by the City of San Leandro of cumulative traffic conditions throughout the city at buildout.¹ These City of San Leandro cumulative impacts are described later in this section.

¹City of San Leandro, Master Plan of City Streets.

a. Proposed Project Access and Internal Circulation

(1) Project Offsite Roadway Modifications. No significant transportation impacts have been identified; no mitigation is required.

(2) Proposed Project Entry. Prior to project approval, finalize the specific design and operational specifications of the proposed project entry gate and associated visitor identification/call box facility, to the satisfaction of the Fire Department, Police Department, and Office of Public Works. Include in these specifications detailed provisions for exit-on-demand for all vehicles, and for unimpeded entry to the project by emergency vehicles, police patrols, garbage collection, and other municipal service providers. Also include detailed specifications for unimpeded entry and exit in the event of a power failure. (Applicant fulfillment of the requirements would reduce identified impacts to less than significant levels.)

(3) Proposed Hillside Access Road. To reduce identified roadway gradient and emergency vehicle width clearance impacts to less than significant levels, redesign the project access road to reduce maximum road gradients to 16 percent or less, and to provide at least 28 feet of continuous clearance width for adequate emergency vehicle access. Section V of this EIR (Project Access) describes and evaluates alternative designs for this access road, including three with maximum slopes of 15 percent. These three alternatives would each involve a single roadway (rather than a couplet); one would involve no major retainment structures, one would involve use of crib walls to reduce grading and tree removal, and one would involve use of bridge structures for the same purpose. The three single roadway design approaches, in addition to meeting city roadway gradient standards, would provide adequate emergency vehicle clearance and would result in reduced cut-and-fill volumes and reduced tree losses. The crib wall and bridge schemes would also result in a reduced visual impacts. None of these three alternatives would introduce significant additional adverse environmental impacts, however all three alternatives would be accompanied by their own visual, tree loss, and fault rupture impacts.

(4) Proposed Emergency Access Connection. Provide at least one additional emergency access connection to the project to avoid identified significant emergency service impacts. Locate the additional connection on the east side of the project, given local seismic factors and the hillside nature of the proposed primary access road (Dunsmuir Heights Road) and Cranford Way secondary road. Specifically, provide an additional emergency-only access road or through-street connection northeast through the adjacent golf course to Golf Links Road.

Ensure the connections to both Cranford Way and Golf Links Road through establishment of permanent access easements. Provide these access easements with adequate width to accommodate city and county emergency vehicles. As recommended by the city's Fire Prevention Bureau, avoid the placement of barriers across these emergency access connections. As recommended by the Oakland Police Department, provide 24-hour "unrestricted" access at these points (see Municipal Services section). If gates or

barricades are to be installed at either of the two connections, formulate gate or barricade design and operational specifications that, to the satisfaction of the Fire Department and Police Department, adequately provide for "unrestricted" emergency access, and exit-on-demand.

The impacts of a connection through the golf course on local traffic and on golf course operation and playability and associated mitigation requirements, are described in section V.E.2 through 6 of this EIR.

(5) Proposed Internal Circulation. No significant impacts have been identified; no mitigation is required.

b. Proposed Project Parking Provisions

(1) Proposed Parking Ratio. No significant impact has been identified; no mitigation is required.

(2) Proposed Parking Proximity. Prior to final project approval, provide a detailed parking plan that indicates the proximity of each residential unit to resident and guest parking supplies. To reduce potentials for illegal onstreet parking to less than significant levels, provide in the parking plan adequate resident and guest parking in convenient proximity (150 feet) to each unit.

c. Project External Trip Generation

Specific physical measures to mitigate the impacts of project traffic increases on local roadway links, intersection operation, and neighborhood quality are described under subsections d, e, f, and g which follow. In addition to these mitigation measures, implement the transportation systems management (TSM) measures listed below to reduce project vehicular traffic generation and thereby reduce offsite project traffic impacts. Although the degree to which these measures would reduce project offsite traffic measures cannot be estimated reliably, their implementation is nevertheless warranted to encourage use of alternative transportation modes and thereby reduce project offsite traffic and associated noise, air quality, and neighborhood quality impacts.

(1) Transit Route Re-Routing. Negotiate with the city and AC Transit for the rerouting of existing bus lines onto the Peralta Oaks Drive-Foothill Way extension. It should be noted that while rerouting of the RCV and 34C lines would consist of minimal adjustments, rerouting of the local lines (55 and 40) may not be feasible due to the extent of necessary adjustments and the minimal anticipated additional ridership.

Note: The noise implications of such a bus line rerouting for homes fronting on Peralta Oaks-Foothill Way are addressed in section IV.F.2.a(2).

r (2) Park-and-Ride Parking. The Peralta Oaks Drive-Foothill Way extension is designated
r as a "collector street" in the Oakland OCP. The extension is also recommended in this EIR
r as a new route for local AC Transit commute lines (see measure c(1) on Page 264.
r Onstreet parking is allowable along "collector streets." Existing onstreet parking provisions
r along the current Foothill Way stub would be retained with the extension. In addition, to
r provide additional ***park-and-ride*** parking for future local commuters, including project
r residents, as well as additional visitor parking for Dunsmuir House and Gardens, the
r extension should be designed to provide for continuous onstreet curbside parking between
r foothill Way and Peralta Oaks Drive. The onstreet parking provisions would provide for
r future variations and growth in local transit ridership. It may eventually be necessary to
r provide signs designating a portion of the onstreet parking as PARK-AND-RIDE spaces for
r use during daily commute hours. Alternatively, the applicant could be required to negotiate
with the city Parks and Recreation Department and the Dunsmuir House and Gardens
Board of Directors regarding use of additional city-owned land at the Dunsmuir facility to
accommodate expansion of the proposed parking lot at the northeast corner of the Peralta
Oaks-Foothill Way extension/Dunsmuir Heights Road intersection for shared use as a ***park-
and-ride*** lot for local commuters, including project residents, as well as a visitor lot for use
r by visitors to the Dunsmuir House and Gardens facility.

(3) Transit Availability Information. Distribute information to project homebuyers on local
and regional transit routes and schedules, and on project ridesharing provisions, as well as
information provided by the city, local area employers, and the Metropolitan Transportation
Commission regarding existing and potential ridesharing programs in the area (van and
carpools).

(4) Ridesharing and Park-and-Ride Information. Provide information on ridesharing and
park-and-ride opportunities via homeowners association communications and postings.
Install a bulletin board in the proposed community center to promote ridesharing, and to
promote use of the park-and-ride lot on Foothill Way.

d. Project Impacts on Local Roadway Links

(1) Local Neighborhood Streets. No significant project impacts have been identified; no
mitigation is required.

(2) Foothill Way. No significant project impacts have been identified; no mitigation is
required.

(3) MacArthur Boulevard. No significant project impacts have been identified; no mitigation
is required.

(4) Estudillo Avenue West of MacArthur. (San Leandro) The existing PM peak hour
eastbound traffic volumes on this roadway segment exceed the design capacity of the two-
lane route. Mitigation measures identified herein under MITIGATION OF CUMULATIVE

IMPACTS for the Estudillo/MacArthur intersection would improve traffic flow on this roadway segment to meet the city's minimum LOS criterion (D), and would also reduce the project-related impact on this roadway segment to less than significant levels.

(5) Lake Chabot Road. (San Leandro) No significant project impacts have been identified; no mitigation is required.

(Dutton/MacArthur, Dutton/Bancroft, Dutton/East 14th) where not already provided.

(3) Dowling Boulevard. (San Leandro) No significant additional project-related impact has been identified; no mitigation is required.

(4) Other Safety Impacts: MacArthur Boulevard/Foothill/Boulevard/Superior Avenue Intersection. (Oakland) To improve conditions at this intersection, and to thereby reduce the tendency of project drivers to use the Grand Avenue southbound onramp to I-580, select one of the following alternatives, which are illustrated on Figure 48, to allow smoother U-turn movements from northbound MacArthur Boulevard/Foothill Boulevard to southbound MacArthur Boulevard.

Alternative A: Provide an exclusive left-turn lane on the northbound MacArthur Boulevard approach to this intersection and improve related intersection geometrics to allow for safe U-turns to southbound MacArthur Boulevard. This mitigation would require modification to the exiting MacArthur Boulevard median and minor curb modification to improve traffic channelization. Further, signalization of the intersection may also be warranted to facilitate safe turning movements.

Alternative B: Provide a smoother version of the "jug handle" movement that takes place here now, and provide additional turning lane storage to accommodate turning traffic. This alternative would require a traffic signal and channelization improvements.

Under both alternatives, also signalize the intersection to achieve LOS A conditions during the AM peak hour and LOS B conditions during the PM peak hour, i.e., a less than significant impact.

Contribute a fair share toward the cost of this intersection improvement, commensurate with the project's contribution to this existing significant adverse traffic safety condition.

In addition to the mitigation effects on the Grand Avenue southbound I-580 onramp, improvement of this intersection would be expected to divert some traffic away from the MacArthur Boulevard/Estudillo Avenue intersection. The level of service at the MacArthur/Estudillo intersection would improve from LOS D to LOS C during the PM peak hour, i.e., a less than significant impact.

Also, improvement of the MacArthur Boulevard/Foothill Boulevard/Superior Avenue intersection would mitigate (reduce) local safety concerns due to freeway-bound drivers seeking faster, less congested alternative routes to the MacArthur Boulevard southbound freeway onramp. As a result, the level of through-traffic on routes parallel to MacArthur Boulevard through residential areas along Dutton Avenue would be expected to decrease to less than significant levels.

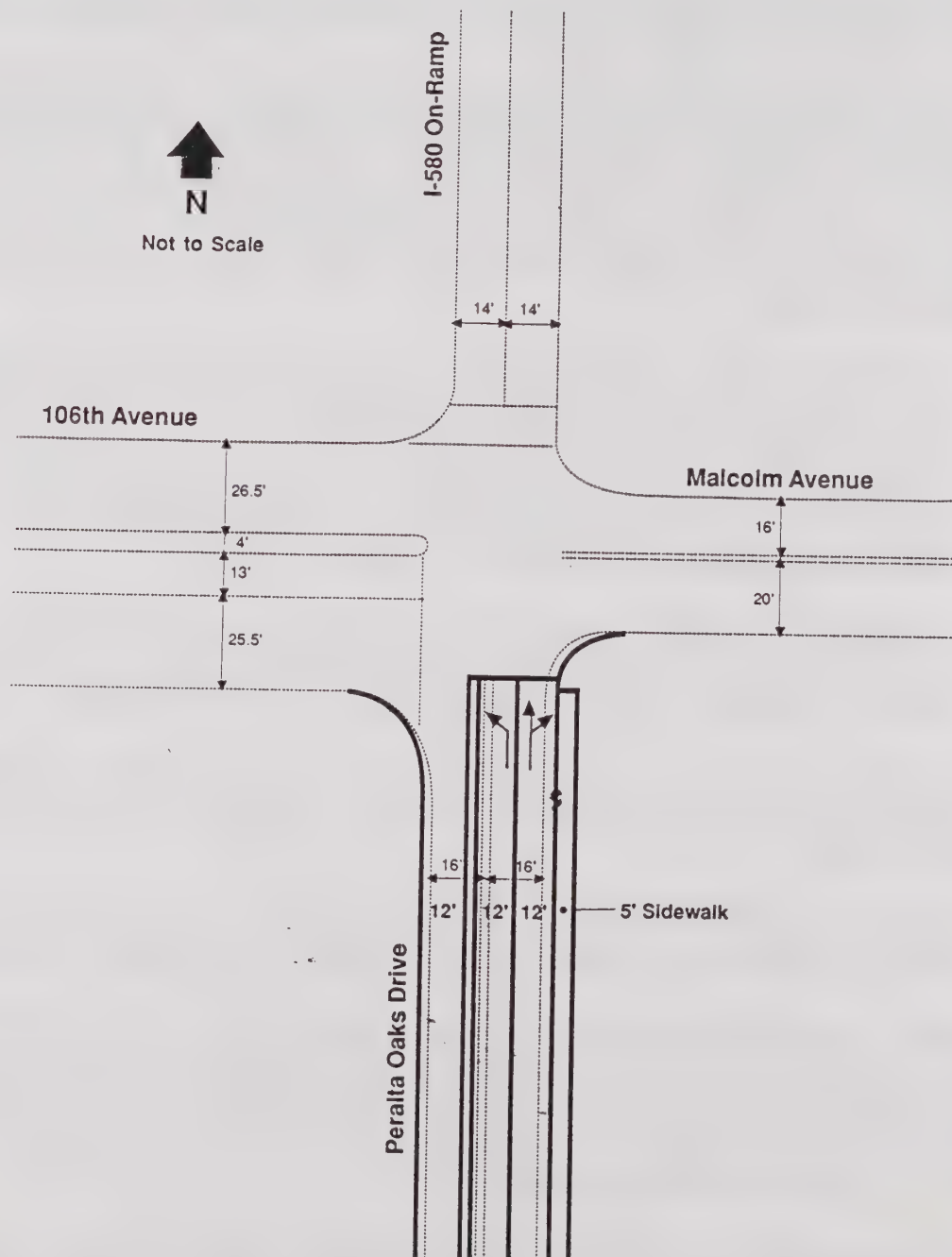


Figure 47
**PERALTA OAKS DRIVE/106TH AVENUE
INTERSECTION MITIGATIONS**

Source: TJKM

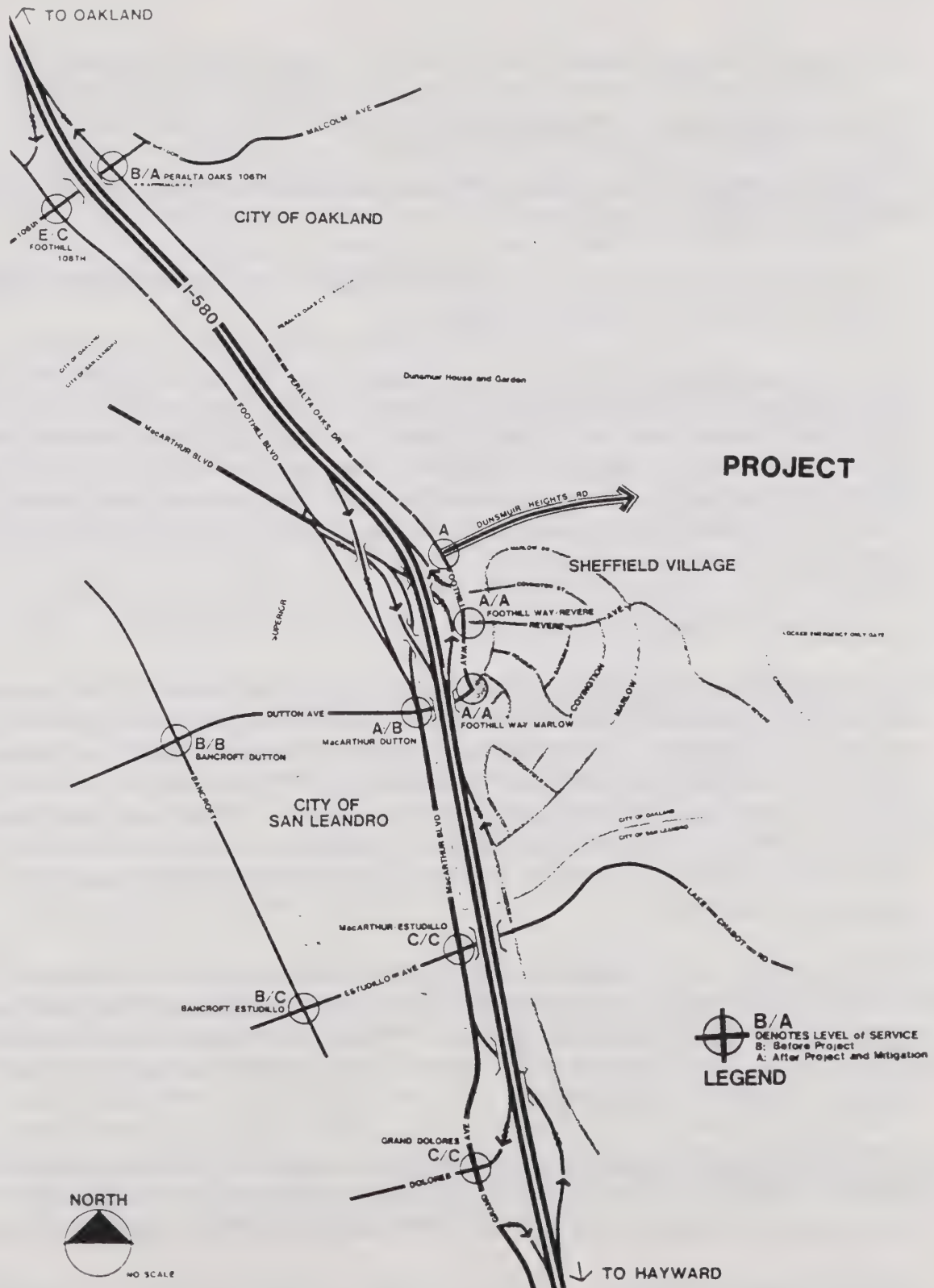


Figure 49
**EXISTING PLUS PROJECT LEVEL-OF-SERVICE
WITH MITIGATIONS**

Source: TJKM

which a fair share portion should be assigned to the project unless otherwise noted.

a. Cumulative Impacts on Roadway Links

(1) Local Roadways. No significant additional cumulative operational impacts have been identified; no mitigation is required.

(2) Local Freeway Segments. No significant additional cumulative operational impacts have been identified; no mitigation is required.

(3) Local Neighborhood Quality and Road Safety. Significant cumulative neighborhood quality and road safety impacts have been projected for Estudillo Avenue in San Leandro. These impacts would occur as a result of anticipated residential development in the quarry site, with or without the project. The mitigation measures identified herein for improving the Estudillo Avenue/MacArthur Avenue intersection would improve traffic flow on Estudillo west of MacArthur to meet the city's minimum LOS criteria (D); i.e., would reduce operational and safety impacts to less than significant levels.

b. Cumulative Impacts on Intersections

(1) Estudillo Avenue/MacArthur Boulevard Intersection. (San Leandro) The projected westbound and eastbound AM and PM traffic volumes on the Estudillo approaches to the Estudillo Avenue/MacArthur Boulevard intersection (including projected San Leandro buildout traffic) would decrease the intersection volume-to-capacity ratio from 0.65 (existing) to 0.76 (cumulative) and reduce the intersection LOS from B to C. An eastbound exclusive right-turn lane on Estudillo would improve cumulative peak-hour traffic conditions from LOS F under buildout conditions to LOS D. An illustrative sketch of this intersection improvement is shown on Figure 50.

The construction period impacts associated with this mitigation would include temporary increase in traffic delays and construction noise. Construction period measures routinely required by the City of Oakland to minimize the degree of disruption and noise (limitations on construction hours, etc.) would be expected to reduce these temporary secondary impacts to less than significant levels.

(2) Peralta Oaks Drive/106th Avenue Intersection. (Oakland) The mitigations for this intersection identified herein for existing-plus-project impacts would also be sufficient to accommodate the added traffic from the EBRPD with no significant additional impact.

(3) Other Local Intersections. (Oakland and San Leandro) No additional significant impacts have been identified; no additional mitigation is required.

(4) I-580/Joaquin Avenue Northbound Offramp. (San Leandro) No significant impacts have been identified; no mitigation is required.

(5) I-580/Grand Avenue Southbound Onramp. (San Leandro) Although projected cumulative traffic increases would reduce the PM peak hour LOS on this ramp to E, the project contribution to traffic at this intersection would be reduced to negligible levels with implementation of project-related mitigations to the MacArthur/Foothill/Superior intersection. With the identified improvements to the MacArthur/Foothill/Superior intersection, southbound traffic to I-580 from the project site would be expected to use the closer MacArthur Boulevard-Foothill Boulevard southbound onramp.

c. Implementation of San Leandro Roadway Mitigations

- r Some of the measures identified above involve facilities in the City of San Leandro, which are outside the jurisdiction of the Lead Agency (the City of Oakland). Similarly, future development of the Fairmont Hills quarry site may result in impacts on nearby Oakland roadway facilities that are outside the jurisdiction of the City of Oakland. Implementation of interjurisdictional mitigation measures will require cooperation and coordination between the applicant and the two cities. Since no formally established Oakland/San Leandro interjurisdictional mitigation program is in effect, the following voluntary project measures are suggested to mitigate project and cumulative traffic impacts in San Leandro:

As a condition of project approval, the city could suggest voluntary participation by the applicant, perhaps through a memorandum of understanding with the City of San Leandro, in the local roadway improvement program of San Leandro. The memorandum of understanding could suggest a reasonable mitigation fee formula. The fee could be based on some reasonable adjustment to the City of San Leandro's existing traffic impact fee. The level of project participation would directly correspond to the specific fair share responsibilities identified in this EIR section pertaining to needed mitigation improvements to the San Leandro street system.

The City of San Leandro has enacted a Development Fee Street Improvement (DFSI) program. Fee amounts have been established based on a comprehensive assessment of citywide street system improvement needs and related costs necessary to accommodate anticipated growth. The amount for new residential development in San Leandro is currently set at \$1,000 per unit. The voluntary project amount could be some fraction of this rate based on the components of the citywide improvement program that this EIR indicates would be affected by the project, related program-wide cost allocations to those particular components, and the project's relative contribution to anticipated cumulative impacts on those components.

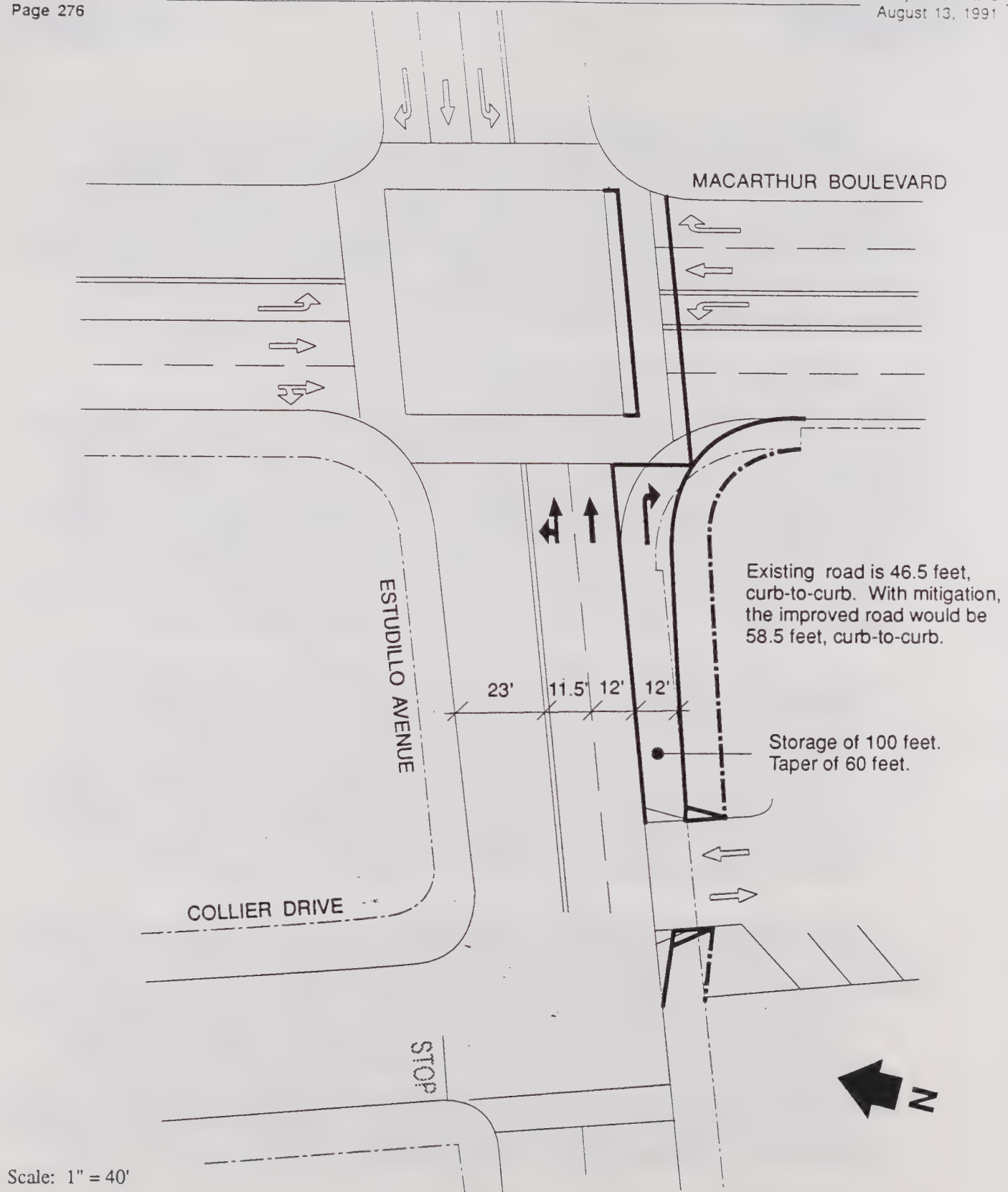


Figure 50
**MACARTHUR BOULEVARD/ESTUDILLO AVENUE
INTERSECTION MITIGATION**

Source: TJKM

D. GEOTECHNICAL FACTORS

This EIR chapter describes the findings of the EIR geologist, Darwin Myers Associates, regarding existing geologic and soils conditions on the project site, possible impacts of the project in light of these conditions, and measures to mitigate significant adverse effects. The chapter is based on field inspection and review of available data by the EIR geologist. Data considered by the EIR geologist included: (1) published data of the U.S. Geological Survey (USGS) and the California Division of Mines and Geology (CDMG); (2) site-specific geotechnical reports and information prepared for the applicant by Purcell, Rhoades & Associates, geotechnical consultants (November 1985, June 1986, July 1987, April 1989, November 1989, March 1990, and June 1990); reports prepared for a previous applicant by Terratech, Inc., geotechnical consultants (November 1974, July 1987); (3) a report on the potential impacts of an earthquake on the project site prepared for the applicant by Lloyd S. Cluff, consulting geologist (March 20, 1990); and (4) project grading characteristics as depicted on the applicant's conceptual grading plan prepared by Charles W. Davidson Co., civil engineers (April 1988).

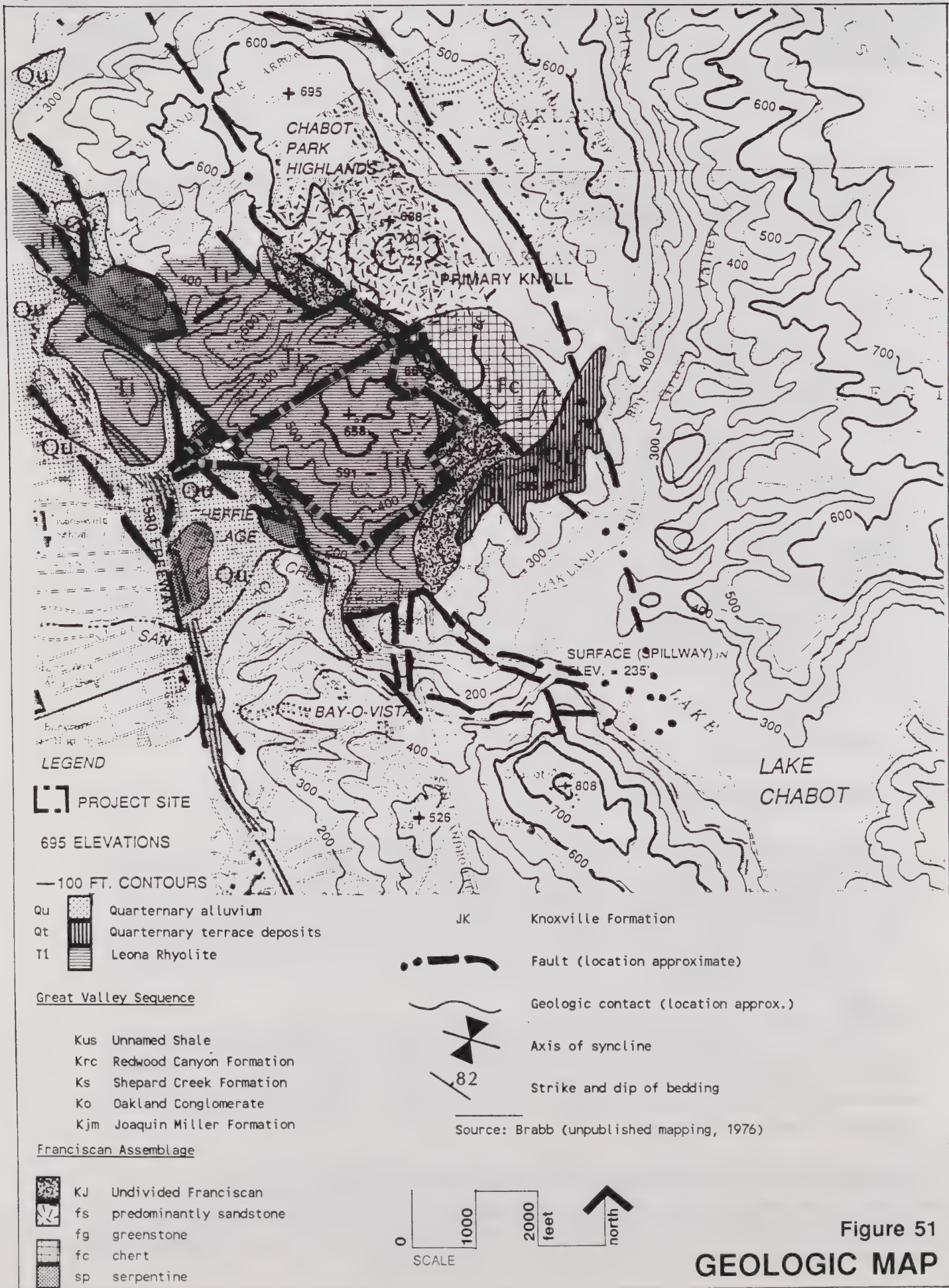
1. SETTING

a. Regional Geologic Setting

The project site is located within northern California's Coast Ranges Geomorphic Province. Regional folding and faulting in the Province has deformed rock formations and produced valleys and ridges aligned predominantly towards the northwest. The Berkeley, Oakland, and San Leandro hills are a northward extension of the Diablo Range, a major structural uplift in the central Coast Ranges. The project site is located on the crest of the Oakland Hills, overlooking the Bay plain.

The geologic structure of the East Bay subregion that includes the project site is mapped on Figure 51. The East Bay Region can generally be separated into two structural blocks, separated by strands of the active Hayward fault. As shown on Figure 51, the Hayward fault traverses the southwestern extension of the project site. The Chabot fault lies immediately northeast of the site.

The geologic basement rocks in the Central Coast Ranges consist primarily of the Franciscan Assemblage. The Franciscan Assemblage encompasses areas east of the San Andreas fault, including the East Bay Region. These Franciscan rocks were formed in a marine environment approximately 63 to 180 million years ago.



As shown on Figure 51, the Franciscan Assemblage includes five types of bedrock or "units": undivided Franciscan (KJ), sandstone (fs), greenstone (fg), chert (fc), and serpentine (sp). Other bedrock types in the area include the Knoxville Formation (JK) and Leona Rhyolite (T1).

b. Site Topography

(1) General. The topography of the project site is mapped on Figure 52. Principal topographic characteristics were diagrammed earlier on Figures 4 and 5. As these figures show, the irregularly shaped site encompasses a large hillside area that overlooks southern Oakland, San Leandro, and much of southern San Francisco Bay. The topography of the site consists of a prominent central knoll surrounded by steep slopes to the north, west, and south. The highest elevation on the site is 659 feet; the lowest is 105 feet. The ridge areas are blanketed by open grassland. The side canyons and draws are filled with thick brush and trees.

(2) Slopes. Site slope categories are diagrammed on Figure 53. In general, slopes in excess of 30 percent are considered to have lower development suitabilities due to their steepness and related potentials for instability and access problems. As discussed in the Land Use section, the Oakland Comprehensive Plan sets forth the following policies with respect to hillside development and slope conditions:

Development on slopes of 15 to 30 percent should generally be designed with special attention to controlling runoff and erosion and to preserving the natural topography as much as possible. Cuts and fills and the removal of desirable vegetation should be minimized. (Policy Plan, p. H-2)

Development involving significant alterations of natural land forms or surface conditions should generally be discouraged on slopes greater than 30 percent. Where development does occur here, graded and natural slopes should be planted to hold easily eroded soil in place and cover unsightly scars. (Policy Plan, p. H-2)

Figure 53 shows that over 70 percent of the site has slopes in excess of 30 percent. Over half of this steeper portion consists of slopes of 50 percent or greater.

The remaining portion of the site with slopes of 30 percent or less is concentrated primarily along the highest ridge areas.

c. Landslides and Slope Stability

Landslide susceptibility is a function of various combinations of factors including rainfall conditions, rock and soil types, steepness of slope, slope orientation, vegetation, seismic

conditions, and works of man. General slope instability determinations can be based on the fact that landslides occur most often on slopes steeper than 15 percent, in areas with a history of landsliding, and on areas underlain by geologic units that have demonstrated stability problems in the past. A history of recorded incidents of damaging earth movement and landslides in Berkeley, Oakland, and San Leandro hillside areas has demonstrated the importance of proper hillside development planning and engineering.

(1) USGS Interpretive Data. Figure 54 shows a section of a USGS map prepared for the region in 1975. The map shows possible landslide and colluvial deposit areas, based on evaluations of aerial photographs taken in the 1960's. This early map suggested four possible small landslides on the site based on aerial photo aberrations. These landslides and colluvial deposit areas were not verified by field visits by the USGS, nor were they classified by activity status, depth of slide plane, or type of slide deposit. Nevertheless, the map served its intended function of indicating where special geotechnical precautions may be necessary prior to development of these areas. (The map has prompted more recent site-specific investigations which are described on pages 295 through 297.)

In 1979, the USGS released a regional relative slope stability map of the Bay Area (at a scale of approximately 1 inch = 2 miles). Figure 55 shows the section of this map that includes the site vicinity. The 1979 USGS map indicated five general categories of slope stability, based on three parameters: steepness of slope, bedrock geology, and the presence and abundance of existing landslides. Figure 55 indicates that the project site was placed in this USGS study primarily within category 3 (generally stable to marginally stable), and also within category 5 (unstable).

(2) Purcell, Rhoades & Associates' Field Investigation Data. Figure 56 shows existing project site landslide deposits based on a more recent field investigation and detailed evaluation by Purcell, Rhoades & Associates (PRA), the applicant's geotechnical consultants. The PRA map indicates one existing landslide along the east boundary of the site.

d. Regional Seismicity

(1) Active Faults. The Bay Area is part of the most active seismic region in the United States. Each year, low and moderate intensity earthquakes occur within or near the region. There are several active and potentially active fault zones that could affect development in the area. These include faults that are historically active (during the last 200 years), those that have been active in the geologically recent past (about the last 10,000 years, usually referred to as Holocene faults), and those that have been active at some time during the Quaternary geologic period (the last 2 million years).

The Hayward fault, the San Andreas fault (about 20 miles to the west), and the Calaveras fault (about 10 miles to the east), are each historically active. The Hayward and the Calaveras faults are considered capable of generating a maximum credible earthquake

(MCE) of magnitude 7.5 on the Richter scale; the northern section of the San Andreas could generate an MCE of magnitude 8.3. Earthquakes of these magnitudes are sufficient to create ground accelerations in bedrock and in unconsolidated deposits severe enough to cause major damage to structures, foundations, and underground utility lines.



RELATIVE SLOPE STABILITY CATEGORIES

1 in. = 1 mi.

- 1** STABLE
Area of 0-5% slope, not underlain by landslide deposits
- 2** GENERALLY STABLE
Areas of 5-15% slope, not underlain by landslide deposits
- 3** GENERALLY STABLE TO MARGINALLY STABLE
Areas of >15% slope, not underlain by landslide deposits or bedrock units susceptible to landsliding

- 4** MARGINALLY UNSTABLE
Area of >15% slope, underlain by bedrock units susceptible to landsliding

- 5** UNSTABLE
Areas underlain by or immediately adjacent to landslide deposits



Figure 55
**SUBREGIONAL
SLOPE STABILITY MAP**

Source: Nilsen et al. (1979)

Dunsmuir Heights Oakland, California

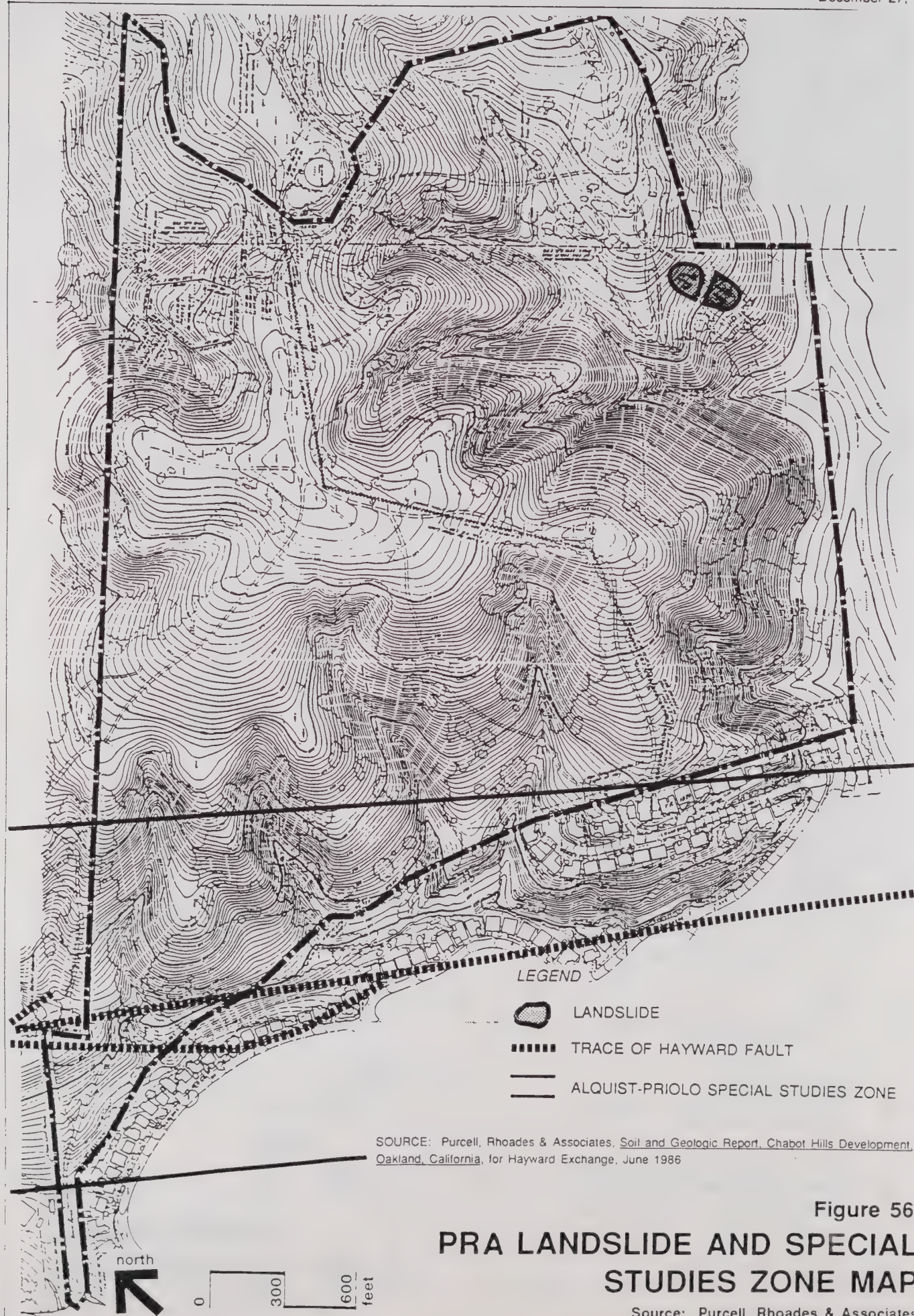


Figure 56
**PRA LANDSLIDE AND SPECIAL
 STUDIES ZONE MAP**

Source: Purcell, Rhoades & Associates

Dunsmuir Heights Oakland, California

(2) The Loma Prieta Earthquake. On October 17, 1989, the Loma Prieta earthquake, which registered 7.1 on the Richter scale, occurred on the San Andreas fault. Although its epicenter was in the mountains north of Santa Cruz, severe groundshaking was felt throughout the San Francisco Bay Area, with major damage to structures and loss of life. At sites underlain by sound bedrock, the level of shaking and resulting damage was relatively minor.

Following the earthquake, an onsite inspection of the project site and its vicinity was completed by a certified engineering geologist from Purcell, Rhoades & Associates, and sponsor-retained independent consulting seismic geologist, Lloyd Cluff. The investigations found no signs of damage to any man-made improvements (e.g., streets, curbs and gutters, etc.) in the project vicinity that are crossed by the Hayward fault, and no evidence of rockfalls, slumps, ground cracks, or other geologic failures on the project site. The investigators concluded that the project site and vicinity withstood ground accelerations from this major seismic event with no observed structural or geologic damage.

(3) Regional Groundshaking Potentials. As demonstrated elsewhere in the city and greater Bay Area on October 17, 1989, earthquake-induced groundshaking represents a major seismic hazard in the Bay Region. As a general rule, the severity of groundshaking increases with proximity to the epicenter of the earthquake. The least amount of damaging vibration would occur on sites composed primarily of solid bedrock, such as those east of the Hayward fault (see Figure 51). Sites underlain by major thicknesses of alluvium, such as those west of the Hayward fault could experience considerably more vibration than those to the east because of the tendency for unconsolidated materials to deform to a greater degree than bedrock.

(4) Regional Ground Failure Potentials. Earthquake-induced ground failure can take the form of fault line rupturing, landslides, or liquefaction. Earthquake-induced landsliding of steep slopes can occur in either bedrock or unconsolidated deposits. Rock type, grain size, degree of consolidation, and angle of the bedrock can all contribute to the strength or weakness of a hillside. Shales and deeply weathered rocks are particularly susceptible to slope failures.

e. Project Site Geology

(1) Bedrock. As indicated on Figure 51, bedrock within the project site is predominantly Leona Rhyolite, with some serpentine, undivided Franciscan Formation and Franciscan chert towards the site boundaries. Analysis of these onsite bedrock formations by the EIR geologist, Darwin Myers Associates (DMA), indicates that they are generally tilted, with predominant dips of 45 to 80 degrees. The Leona Rhyolite bedrock formations crop out in a band parallel to the Hayward fault. The rhyolite in the project vicinity has been characterized as pervasively fractured and sheared.

(2) Fault Traces. USGS geologic maps show northwest trending faults traversing the western and eastern edges of the site, as illustrated by Figures 51 and 54. The fault traces that cross the western extension of the site are part of the Hayward fault system. The fault

shown on Figure 51 bisecting the eastern edge of the site is a branch of the Chabot fault. Based on numerous onsite trenching, test pits, and boring analyses by the applicant's engineering geologist, onsite Hayward fault system characteristics have since been mapped in more detail, as shown on Figure 56, and no other fault traces, including traces of the Chabot fault, are believed by PRA to be located on the site.

The Hayward fault is classified as seismically active by both the U.S. Geological Survey and the California Division of Mines and Geology. The Chabot fault is not classified as active by either the U.S. Geological Survey or the California Division of Mines and Geology.

f. The Hayward Fault

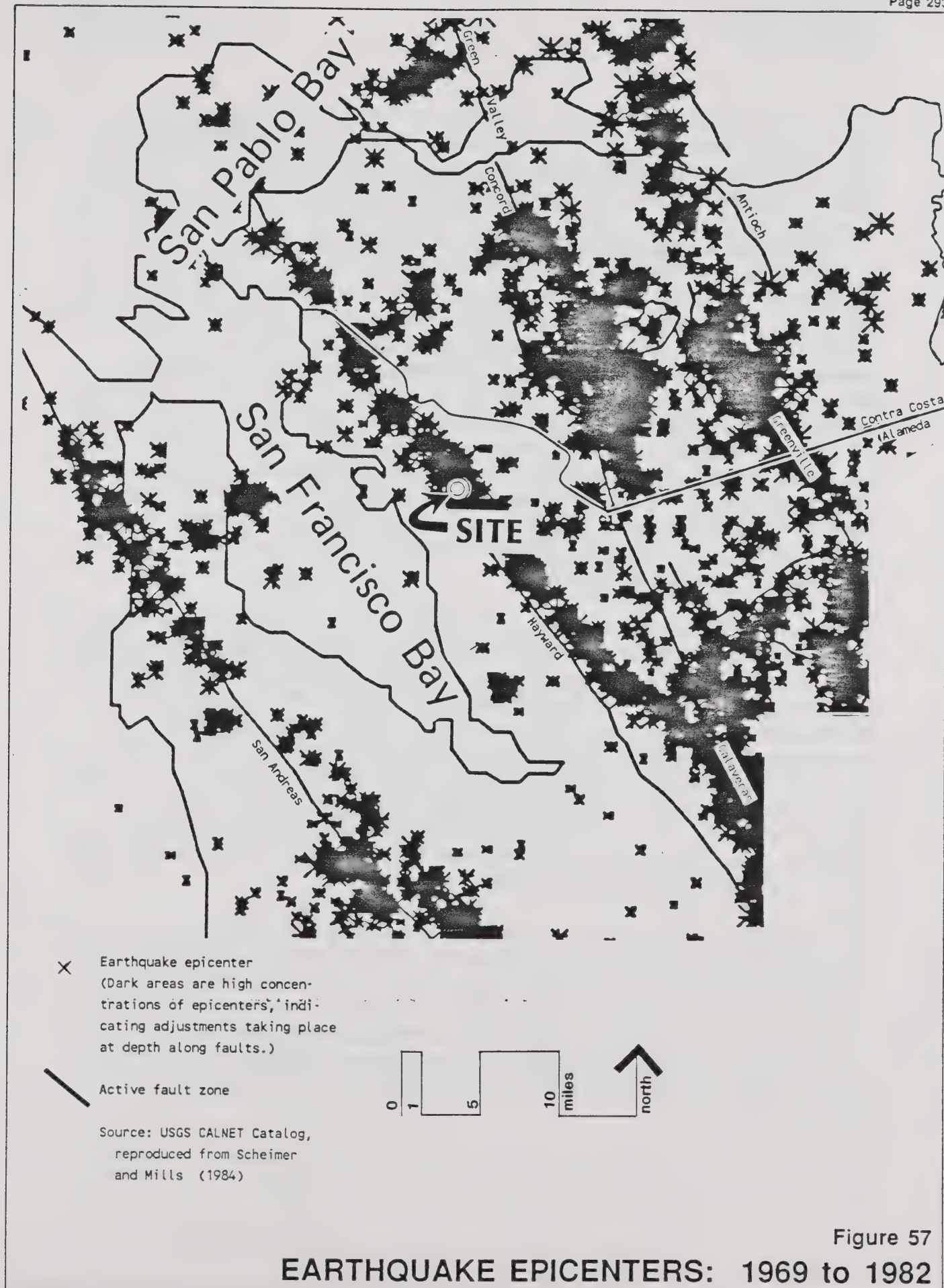
(1) Location. The active Hayward fault zone includes a system of northwest trending faults along the western edge of the hills bordering the east side of San Francisco Bay. The fault zone can be traced nearly continuously northwestward from the Warm Springs District of the city of Fremont in southern Alameda County to San Pablo Bay near Point Pinole in western Contra Costa County.

The Hayward fault traverses numerous existing urban areas and transportation arterials in the East Bay. In the project vicinity, the fault traverses portions of the Bay-O-Vista, Sheffield Village, and Malcolm Avenue residential areas, and crosses the following local collector and arterial routes: Lake Chabot Road, Marlow Drive, Revere Avenue, Malcolm Avenue, and I-580.

(2) Historic Earthquakes. Movement along the Hayward fault has caused two known major earthquakes, one in 1836 and one in 1868. Surface rupture occurred between San Pablo and Mission San Jose in the 1836 earthquake; and between Mills College in Oakland and the Warm Springs area in the 1868 earthquake. Fault displacement was reported as far north as the University of California at Berkeley in the 1868 earthquake.

(3) Recent Seismic Activity. A review of existing seismic records provides evidence that the Hayward fault remains seismically active. Figure 57 shows recorded earthquake epicenters recorded by the USGS between 1969 and mid-1982. The purpose of the figure is to illustrate the correlation between recorded earthquake epicenters and known active faults, including the Hayward fault. These epicenters are indicative of adjustments taking place below the surface along active Bay Area faults. In a typical year, 20 or more minor seismic events are recorded by the USGS in the immediate vicinity of the Hayward fault.

(4) Earthquake Magnitude and Fault Rupture Capabilities. As explained earlier, the Hayward fault is considered capable of generating a maximum earthquake (MCE) of magnitude 7.5 on the Richter scale; i.e., sufficient to create ground accelerations in bedrock and in unconsolidated deposits severe enough to cause major damage to structures, foundations, and underground utility lines. According to CDMG data, the maximum horizontal displacement on the Hayward fault during a major earthquake would be



r approximately 10 feet (CDMG Special Publication 78--1987). The average calculated
r horizontal displacement "is about half the maximum, or about 5 feet, and will be more
r prevalent throughout the rupture length" according to the CDMG publication. The largest
r horizontal historical displacement is estimated to be 3 feet.

(5) Alquist-Priolo Special Studies Zone. In the aftermath of the 1971 San Fernando earthquake in southern California, the California legislature enacted the Alquist-Priolo Special Studies Zone Act. The law directed the CDMG to designate a special studies zone (SSZ) along each known active fault in California, and specifically named the Hayward fault as one of these known active faults. The purpose of the SSZ is to ensure that development planning in proximity to known active faults gives adequate consideration to the hazards of surface fault rupture. Under the law, approval of most land development for human occupancy within the SSZ must be contingent upon the findings of a geologic report that must be prepared to evaluate the hazards of surface fault rupture. The report must be prepared by a state-registered geologist. Moreover, the local jurisdiction is required to provide peer review of the report, performed by an independent registered geologist. Copies of the geologic report, along with evidence of peer review, must be sent to the CDMG. As these detailed studies define the precise location of fault traces, the CDMG may modify the boundary of the SSZ.

Official maps of the Hayward fault SSZ were issued in 1974 and revised in 1982. Figure 54 shows the CDMG estimated location of the Hayward fault SSZ in the project vicinity. Figure 56 shows the SSZ boundary on the project site. As indicated on these figures, the designated SSZ ranges in width from approximately 1,000 to 1,500 feet, centered on the discontinuous fault trace. Known fault traces within the SSZ in the project vicinity are represented on Figure 54 by both solid and dashed lines. A solid line is used when the fault trace is accurately located; a dashed line when the location is approximated. It should be noted that recently active and potentially active traces of the Hayward fault may exist anywhere within the SSZ. Further, the possibility exists that active traces may occur outside the SSZ. Figure 54 shows the estimated trace of the Hayward fault onsite, based
r on the most recent CDMG SSZ map (1982).

(6) Fault Creep. Movement along an active fault trace may not necessary be accompanied by earthquakes. A gradual form of movement, known as "fault creep," was
r first recognized as a problem along the Hayward fault in 1962. Visible evidence of creep movement has been observed at various places along the length of the fault from San Pablo to Fremont. Fault creep has resulted in cracked and offset curbs, streets, fences, railroad tracks, pipelines, and buildings. All creep movement appears to be right lateral. Visible evidence of fault creep has been found in the project vicinity at locations indicated on Figure 54.

g. The Chabot Fault

Interpretive data depicted on Figure 51 indicates that a branch or parallel branches of the inactive, northwest trending Chabot fault system bisect the eastern edges of the project site. However, the more detailed recent onsite investigations by PRA found no onsite traces of

the Chabot fault. The main trace of the Chabot fault is approximately one-half mile east of the site. This fault system has been inactive for over 11,000 years. Like the active Hayward fault, the inactive Chabot fault also traverses a number of existing residential areas and transportation routes.

2. SITE-SPECIFIC GEOTECHNICAL INVESTIGATIONS

As explained in the introduction to this chapter, a number of site-specific investigations of the site have been completed between 1974 and 1990 by geotechnical consultants to the landowner to evaluate site geotechnical conditions in more detail, including a 1974 fault hazard investigation by Terratech, Inc., a 1985 fault hazard study by Purcell, Rhoades & Associates, a 1986 soil and geologic report by Purcell, Rhoades & Associates, and a 1990 review of potential onsite surface faulting, groundshaking, and ground failure by Lloyd S. Cluff, consulting geologist. These studies have been reviewed by the EIR engineering geologist, Darwin Myers Associates (DMA). The results of that DMA review are described below.

a. Site-Specific Fault Investigations

The 1974 fault hazard investigation by Terratech, Inc., focused solely on those central hilltop and easterly portions of the site planned for residential development, and did not evaluate the portion of the site within the Hayward fault SSZ.

Terratech identified three northwest-trending lineations or contours on the site, paralleling the alignment of the Hayward fault, that might have represented possible traces of the Hayward fault. These lineations consisted primarily of surface features such as linear ravines, elongated ridges, offset streams, and steep scarps. To further evaluate these possible fault traces, Terratech excavated nine exploratory trenches, ranging from 57 to 245 feet in length and as much 16 feet in depth. Each trench encountered Leona Rhyolite bedrock in various stages of fracturing, jointing, alteration, and shearing. Trenches across two of the three contours revealed pulverized rock, which Terratech interpreted as evidence of possible faulting. These contours were classified as potentially active fault traces, and 50-foot setbacks for structures were recommended. The third contour was determined not to be fault-related.

r In 1985, Purcell, Rhoades & Associates (PRA) further evaluated the two potentially active fault traces mapped by Terratech and found no evidence of active faulting. PRA geologists excavated a total of five exploratory trenches in close proximity to the Terratech trenches.

In 1987, PRA excavated four more trenches across the fault traces mapped in the 1974 Terratech report. In addition, four test pits were excavated to permit further examination of the Leona Rhyolite bedrock. The PRA geologists found that the "pulverized" rock reported

in the 1974 report was due to jointing and bedrock weathering patterns, and further, that such features were characteristic of the outcrop belt of the Leona Rhyolite. Thus, PRA concluded that there was no evidence of active faulting. This finding was corroborated by Terratech geologists. Moreover, PRA reported that the 50-foot setbacks recommended by Terratech were not warranted.

In 1990, in response to the extensive public comment on the proximity of the site to the Hayward fault, the project applicant funded an additional geotechnical evaluation of the site by Lloyd S. Cluff, consulting geologist. Mr. Cluff reviewed all previous geotechnical reports on the site, geological maps prepared by the USGS and California Division of Mines and Geology, and aerial photographs. He also discussed the site with Purcell, Rhoades & Associates, and made a site visit. Mr. Cluff reported on the potential surface faulting, groundshaking, and ground failure effects of an earthquake on the project as proposed, particularly on the proposed project access route. The conclusions of Mr. Cluff's reports are discussed in section IV.D.3.c on page 304 of this EIR.

b. Site-Specific Investigations of Grading, Drainage, and Foundation Conditions

In 1986, PRA issued a soil and geologic conditions report, based on a subsurface exploration program that included the excavation of 20 test pits and four exploratory borings. In the report, PRA characterized the engineering properties of Leona Rhyolite, the predominant bedrock type underlying the site (see Figure 51). The potentials for various possible geologic hazards, including surface fault rupture, liquefaction potential, and ground shaking were analyzed. The following soil and geologic conditions were described.

(1) Leona Rhyolite Areas. Typical subsurface characteristics of the majority portion of the project site underlain by Leona Rhyolite include a thin topsoil layer, followed by variable thicknesses of decomposed (weathered) rhyolite and hard rhyolite bedrock. The topsoil layers vary in thickness from 0 to 3.5 feet, except for the larger ravines where soil depths may reach 12 feet or more. The soil is typically composed of dry, dark, yellowish brown, sandy silt and clay with low to moderate expansive properties.

These soils provide "good to excellent" fill material, and sufficient foundation support if the fill is properly engineered and placed.

(2) Knoxville Formation Areas. The Knoxville Formation areas in the eastern portions of the site consist of shale, sandstone, and minor amounts of conglomerate. Because of the variations encountered in the strike and dip of the rhyolite, and the significant variations in the degree of weathering, the stability of cut slopes in this area could vary considerably.

(3) Hayward Fault Zone. Because no structures for human occupancy are proposed within the SSZ, Alquist-Priolo subsurface exploration requirements to establish structure setback restrictions would not apply to the project.

(4) Liquefaction. The site is expected to have a low potential for ground failure due to liquefaction.

(5) Landslides. Some movement of the soft topsoil overlying the stiffer soils in the hillside areas could be expected during intense winter storms, but proper site drainage, grading and erosion controls could mitigate this hazard. The valley areas of the site contain thick deposits of alluvial soil, but because these deposits lie on relatively flat terrain, no landsliding is expected.

The PRA report indicated the occurrence of a landslide area on the site, as shown on Figure 56. The PRA report did not provide an analysis of the USGS landslide and colluvial deposit areas shown on Figure 54.

3. PROJECT GRADING PLAN AND IMPACTS

The following section describes the proposed project grading plan and its geotechnical impacts. The description of the grading plan addresses the construction of the primary access road, grading of the residential areas, construction of the emergency access road, and a listing of grading recommendations for the project by the applicant's geotechnical consultants. The discussion of impacts covers fault rupture hazards, groundshaking, slope instability, and the specific impacts associated with the proposed Foothill Way-Peralta Oaks extension.

a. Grading Plan

A diagram depicting the developer's preliminary grading plan is shown on Figure 58. Onsite grading would involve both cut-and-fill operations. Material from cut operations would be used as fill in certain canyons and draws of the site. It is the developer's intent to keep total project excavation volumes under one million yards. Up to 200,000 cubic yards of earth would be moved in the Entry Subarea to construct the proposed dual hillside access roadway. Up to 800,000 cubic yards would be excavated in the residential subareas for building pads, internal streets, parking bays, and recreational facilities. Figure 59 provides a depiction of the scale and volume of one million cubic yards of fill relative to the 132-acre size of the site. Specific characteristics of the grading plan are described below.

(1) Primary Access Road. A split-level primary access road (Dunsmuir Heights Road) is proposed eastward from the Peralta Oaks Drive-Foothill Way extension. This dual hillside access road would be constructed across existing hillside slopes of 50 percent or greater. To construct the hillside access road, major portions of the southwest-facing slopes of the site would be graded, including the four wooded, southwest-facing swales shown on Figure 52, resulting in significant cuts and fills and the loss of related woodland. The inbound and outbound road segments would have paved widths of approximately 20 and 19 feet, curb-to-

curb, respectively. The project architect states that the split-level road is proposed for the hillside segment to minimize roadway gradients and to reduce the likelihood of severed access in the event of an emergency, such as a vehicular accident or major-earthquake-induced slope failure.

The entrance road sections on Figure 16 indicate that access road fill areas would have 2:1 inclines and cut areas would have 1.5:1 inclines.

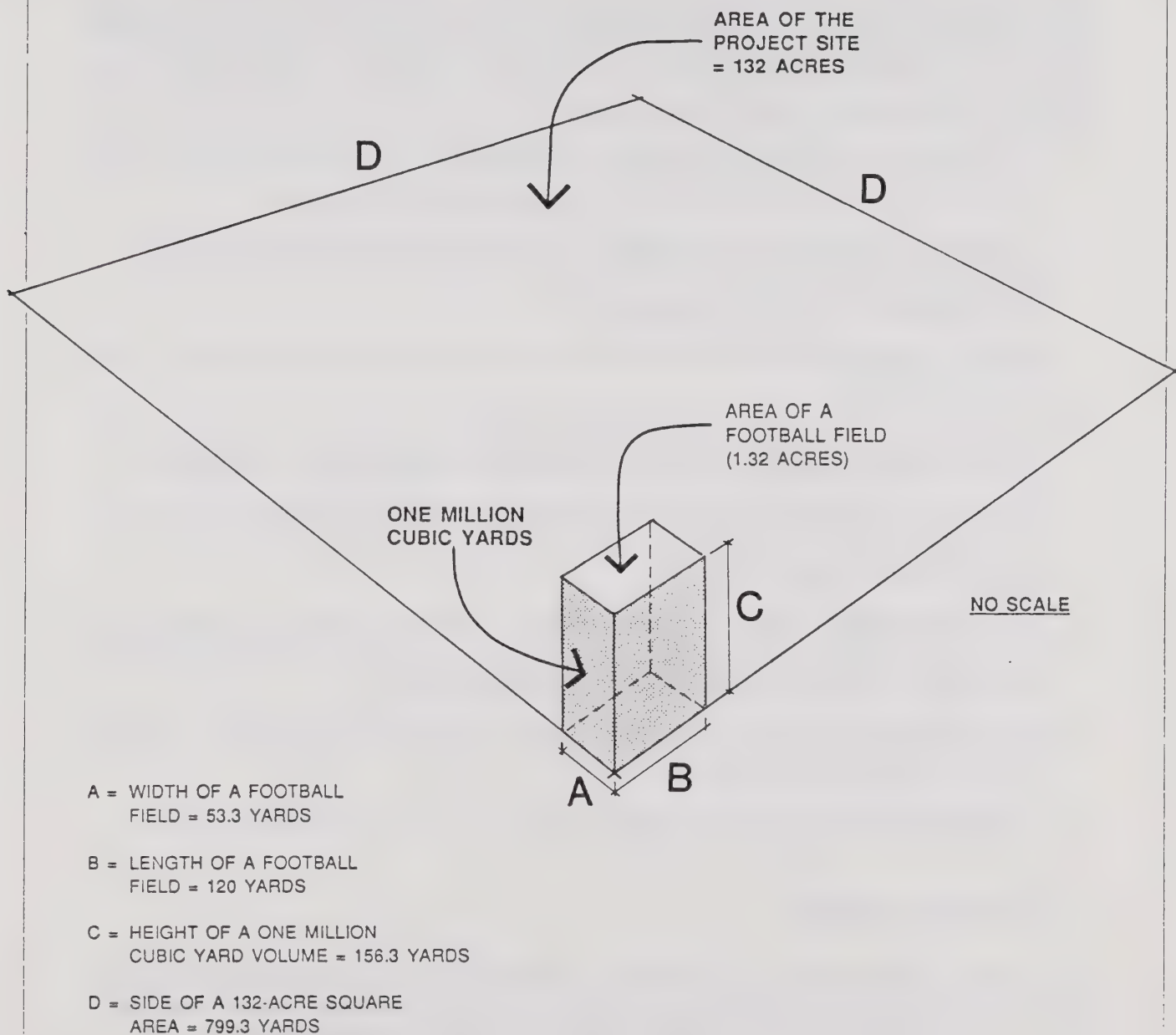
The preliminary grading plan indicates that access road cut slopes ranging from 50 to 150 feet in vertical height (from "toe" to "crown") would be separated by fill slopes averaging 125 feet in vertical height. Figure 58 indicates that the depth of cut along the access road would be as deep as 40 feet, and the depth of engineered fill as deep as 60 feet. As also shown on Figure 58, three reinforced concrete retaining walls would be constructed at the foot of the roadway fill to contain and reinforce the fill slopes. Two of the retaining walls would be approximately 5 feet high, and the third would be approximately 6 feet high. The length of the graded area along the split-level hillside access road would be approximately 2,000 feet.

Existing steep cuts in the rhyolite behind some lots on Revere Avenue are generally performing well, although there have been some reports of occasional debris in the rear yards of the closest Revere Avenue homes.

- r The project engineer states that a principal intent of the project's cut-and-fill approach here is to provide smooth, natural-appearing surface curvatures rather than flat, "terraced" surfaces. However, PRA indicates that six-foot-wide drainage terraces would be required at 25-foot vertical intervals on the slope overlooking the Sheffield Village neighborhood. Due to the height of the graded slopes, up to seven terrace levels in this one fill area may be necessary.

(2) Residential Areas. Mass grading is also proposed for the residential development subareas. As shown on Figure 58, the depth of the cut in these areas would range from 0 to 45 feet, and would average about 10 feet. Cut slopes would have grades ranging from 6:1 to 2:1. Most of the material from the residential subarea cuts would be placed as engineered fill in the upper portion of the ravines to increase the area available for development. Within these filled residential subareas, engineered fills would range from 0 to 70 feet in depth, and would average about 25 feet in depth.

(3) Emergency Access Road. Less extensive grading is proposed for the one emergency-only access road linking the project residential areas with Cranford Way. The grading plan on Figure 58 indicates that the first 200 linear feet of this roadway, i.e., the segment below the 350-foot elevation, would be built up with engineered fill, with fill depths from 0 to 25 feet. The remainder of the roadbed (above 350 feet) would be in cut into bedrock. As shown on Figure 58, the associated cut slope along this secondary access would range from 0 to 12 feet in depth and from 15 to 20 feet in vertical height (toe to crown).



The proposed project grading plan would involve the onsite movement (cut-and-fill) of approximately one million cubic yards of earth, including 200,000 cubic yards for the primary access road and 800,000 cubic yards for the residential areas. This graphic illustrates the relative magnitude of this grading volume relative to the size of a football field (1.32 acres) and the size of the project site (132 acres).

Source: Wagstaff and Associates

Figure 59
RELATIVE MAGNITUDE OF PROPOSED GRADING

(4) Specific Grading and Foundation Recommendations of Project Geotechnical Consultant.

The primary conclusion of the 1986 PRA soils and geology report was that the proposed grading and residential development concept described above is feasible, subject to a number of specific PRA recommendations for site grading, drainage, and foundation design.

The PRA recommendations include the following¹:

- The incline of cut-and-fill slopes should ordinarily be 2:1 (horizontal to vertical); however, 1.5:1 slopes can be approved for cuts into stable bedrock.
- During project construction, the grading of cut slopes should be observed by the project geotechnical engineer and engineering geologist to provide any additional recommendations that may be warranted.
- Six-foot wide drainage terraces should be provided at 25-foot vertical intervals on major cut-and-fill slopes.
- Whenever the natural slope gradient is steeper than 5:1, bench areas should be cut horizontally into stable bedrock and any weak soils removed prior to fill placement.
- The project geotechnical engineer and engineering geologist should review all project cut and fill slopes for slope stability, erosion, drainage control, and foundation placement implications.
- No house foundation should be located within 10 feet of the crest of any slope over 15 feet high unless the particular house and area have been reviewed and approved by the project geotechnical engineer and engineering geologist.
- Special foundations should be installed on lots underlain by expansive soils and on lots where the building site is part cut and part fill.
- Subdrains beneath fills and other surface runoff and erosion controls should be installed in graded and developed areas.

b. Fault Rupture Hazards

(1) Primary Access Road. As illustrated by comparing Figure 56 with Figure 58, the proposed split-level project access road crosses the Hayward fault and the Hayward fault SSZ. As indicated earlier, the anticipated maximum horizontal displacement on the Hayward fault during a major earthquake is approximately 5 feet (the largest historical displacement is estimated to have been 3 feet, according to the CDMG). Thus, fault rupture in the event of a high magnitude earthquake on the Hayward fault could severely

¹All except one of the eight listed recommendations are paraphrased from the Purcell, Rhoades & Associates report entitled Soil and Geologic Report--Chabot Hills Development, Oakland, California, June 13, 1986 (pp. 19 to 33). The fifth recommendation in the list has been added by PRA since preparation of the 1986 report (personal communication between Daniel Rhoades of PRA, John Wagstaff of Wagstaff and Associates, and Darwin Myers, EIR geologist).

damage the roadway, disrupting or blocking vehicular access and severing utility lines that cross the active trace. The risk of severe earthquake damage to this access road must be considered a significant unavoidable risk and a potentially *significant adverse impact*.

The fact that the road is split into two narrower sections may slightly reduce the probability of total roadway blockage to both roads due to earthquake-related fault rupture.

Nevertheless, the risk of a fault rupture blockage would still represent *a significant adverse impact* of the project.

(2) Emergency-Only Access Route. Under the proposed development plan, Revere Avenue and Cranford Way in the Sheffield Village neighborhood would provide emergency access to the site via the gated, emergency-only access road. A portion of the offsite Revere Avenue-Cranford Way route is also within the Hayward fault SSZ. Thus, in the event of a major earthquake along the Hayward fault, access to the emergency-only access road could also be disrupted by fault rupture damage, which would also represent a *significant adverse impact*.

(3) Residential Subareas. The project residential areas would be separated from the Hayward fault SSZ by a distance of at least 900 feet, and thus would not be subject to the risks of fault rupture damage, and would not be subject to Alquist-Priolo requirements. Site-specific investigation of other possible fault traces in those central and eastern portions of the site that underlie the various residential subareas, including trenching, test borings, and test pits, indicate that no other fault traces are located on the site beyond the Hayward fault.

- r (4) Project Utilities. Some proposed utility lines (e.g., sewer, gas, storm drainage, etc.) would follow the hillside access road and, thus, would also cross over the Hayward fault and be subject to damage should the fault rupture. Related damage to project utility lines could cause *significant adverse impacts*, such as localized flooding, fire or other hazards,
- r and exposure of dangerous electrical lines. (Water service to the site would be provided
- r from the upper, easterly direction and would not cross the Hayward fault.)

c. Groundshaking Impacts

The property is located in the seismically active San Francisco Bay Region. In addition to the Hayward fault, other active faults that are close enough to produce damaging levels of groundshaking include the San Andreas and Calaveras fault systems. Most historic earthquake damage in the region has been due to groundshaking and its secondary effects, including ground failure and fire damage, rather than fault rupture.

The generally applied San Francisco Earthquake Intensity Scale ranges from A to E.¹ San Francisco Intensity A is defined as general destruction of buildings and underground utility lines. San Francisco Intensity E is defined as mild damage such as crumbled brick

¹Perkins, J.B., Maximum Groundshaking Intensity (map), Association of Bay Area Governments, 1983.

chimneys. According to the Association of Bay Area Governments (ABAG),¹ in the event of a high magnitude earthquake on the Hayward fault, it can be anticipated that structures built within approximately one-quarter mile of the fault could undergo "violent" groundshaking at San Francisco Intensity B. High magnitude earthquakes originating on the San Andreas, Calaveras or other faults in the region would also be capable of producing groundshaking impacts in the south Oakland hills.

At San Francisco Intensity B, even structures meeting the current requirements of the Uniform Building Code are likely to experience some damage in some locations. The ABAG estimated damage cost factor² for a modern one-story wooden frame structure is 12 percent at San Francisco Intensity B³, i.e., a building with a replacement cost of \$200,000 could be expected to sustain up to \$24,000 in damages from groundshaking. This dollar estimate assumes that the immediate vicinity of the building is not subject to surface fault rupture or other related types of ground failure.

The entire San Francisco Bay Area is subject to some level of damage impact due to groundshaking from earthquakes. Significant damage impacts to masonry chimneys, masonry facades, and large windows, and structural damage due to cripple wall failure, could occur within the project, as it could throughout the region, during a major earthquake on the Hayward fault.

The project site does contain hard rock geologic conditions that are among the best in the Bay Area. The EIR geologists and the project consulting geologist, Lloyd S. Cluff, feel that these hard rock conditions, in combination with the construction requirements of the Uniform Building Code, would substantially reduce the potential damage impacts on the site due to groundshaking. Nevertheless, damage potentials, although less than other nearby urban areas, would be significant.

d. Slope Instability Impacts

Slope stability related project impacts would be affected by many factors, including existing landslides, soil type, the effects of cutting and filling on existing geotechnical conditions, the use of retaining walls, the quality of site drainage, the location of proposed construction, and the design of graded slopes.

¹Perkins, J.B., Maximum Groundshaking Intensity (map), Association of Bay Area Governments, 1983.

²The damage cost factor is equal to the cost of repair divided by the replacement cost. This quotient is multiplied by 100 to express the result as a percentage.

³Perkins, J.B., Using Earthquake Intensity and Related Damage to Estimate Earthquake Intensity and Cumulative Damage Potential from Earthquake Groundshaking (working paper), Association of Bay Area Governments, 1982.

(1) Landslides. Although at least three of the five landslides suggested or identified on Figures 54 and 56 would be removed or repaired as a result of project grading, these existing conditions suggest that portions of the project site may nevertheless be unstable. In addition, the PRA evaluation indicates that the underlying bedrock in some areas may be locally sheared or highly weathered, and that portions of the site are underlain by silty, weak shale (i.e., the Knoxville Formation as mapped on Figure 51). Given these slope instability factors, and the steepness of the site, even dormant landslides, if not repaired, may reactivate if disturbed by natural processes such as rainfall or seismic shaking, or if disturbed by the proposed grading. These slope instability risks due to landslides constitute a significant adverse impact.

(2) Soil Stability. Portions of the site contain a layer of topsoil generally ranging from 0 to 3.5 feet deep, but which occur in some locations at depths up to 12 feet deep. This topsoil generally has low to moderate expansive properties and can provide sufficient foundation support. However, potential *significant adverse impacts* to project structures could occur when the soil is used as fill and is not properly engineered and placed.

(3) Cut Slopes. Gradients. The general standard for maximum cut slopes on the project site is indicated as 1.5:1 on the proposed grading plan. However, the highly sheared serpentine rock in the designated Hayward fault zone may not perform well with the proposed 1.5:1 cut slopes above this initial segment of the proposed project hillside access road. It is also very likely that the construction of other sections of the hillside access road would expose intervals of weak rhyolite. A slope failure in one of these locations could result in significant damage to the access road. Such damage would represent a *significant adverse impact*. It should be noted that existing steep cuts in the rhyolite bedrock behind some lots on Revere Avenue appear to be performing well (although some local residents have reported some back yard debris). Nevertheless, because rhyolite is not uniform, it is likely that the proposed cuts in this material, particularly to construct the access road, would expose some areas of weak rock. If not properly engineered and constructed, these cuts could create significant erosion and landslides impacts on properties below.

In those areas of the site that are underlain by locally sheared or highly weathered bedrock, or by silty, weak shale, even the proposed 2:1 slopes may not perform satisfactorily, particularly during earthquakes. These potentials represent *significant impacts*.

Oversaturation. Project cut slopes could also fail as a result of oversaturation of the soil from rain or landscape irrigation. Such failures could be severe enough to be considered a *significant adverse impact*.

(4) Fill Slopes. Ravine Fill Stability. The grading plan proposes fills in ravines that have steep existing slopes (25 percent or greater). Some of these ravines show evidence of active mass wasting, e.g., erosion, soil slippage, sloughing, and seepage. Unless the

benches are cut into stable bedrock, long-term stability may be difficult to achieve for some of these fills. Failure of one or more of these ravine fills during an earthquake or a severe rain (and inadequate subdrainage) could result in *significant adverse impacts* due to damage to the project access road and utility improvements, and could create nuisance problems and significant impacts for some existing residential rear yards along Cranford Way, Revere Avenue, and Marlow Drive below.

Settlement. As shown in Figure 58, maximum depth of fill in some areas may be as much as 80 feet. Therefore, even a properly compacted ravine fill of such depth could be subject to differential settlement, with *significant impacts* due to related damage to structures, roads, or utilities. Further, under some individual residential structures, the thickness of fill may vary by 30 to 50 percent. Such variations in fill thickness could result in extensive cracking and differential settlement of foundations, also resulting in significant impacts.

(5) Retaining Wall Design. Figure 58 indicates that construction of four retaining walls would be included in the grading plan to contain and reinforce certain ravine fills. If not properly engineered and constructed, a failure of one or both of the two retaining walls along the lowest reach of the project access road due to a severe seismic event or storm could result in *significant adverse impacts* due to damage to the access road, as well as significant property damage for up to six homes along Marlow Drive directly below the two walls. Failure of either of the other two retaining walls would not be expected to have significant offsite impacts, but could result in significant damage to the project access road or to the cul-de-sac and the one project residence in the northeast corner of the site.

(6) Drainage. Runoff from roof gutters and other paved surfaces may cause significant gulying and erosion impacts on the side slopes. Severe rainfalls or overwatering of landscaping could destabilize those project cut-and-fill areas that are proposed atop steep natural slopes. The PRA evaluation recommended subdrain systems for such fill areas. The proposed drains would be typically 5 to 10 feet deep. Such subdrainage systems, if properly engineered, constructed, and maintained, can be expected to mitigate drainage-related slope instability impacts to less than significant levels. However, if these subdrains are improperly installed, or if seepage volumes are greater than subdrain capacities, significant slope failure or settlement impacts could occur due to excessive seepage. Landscape overwatering could also significantly raise groundwater levels at the site, destabilize cut-and-fill slopes, and cause either shallow or deep-seated slope movement in the residential subareas. If proposed project surface and subsurface drainage improvements are poorly maintained and not regularly cleaned of sediment and vegetation, they could cease to function as designed. This condition could, in turn, reduce the long-term stability of graded slopes, to a level that would be considered *a significant impact*.

(7) Setbacks from Graded Slopes. As explained earlier in this chapter, in order to mitigate related slope instability hazards, the PRA evaluation recommended that residences should be located within 10 feet of any slopes over 15 feet high, unless the project geotechnical engineer and engineering geologist recommend a shorter or longer setback based on

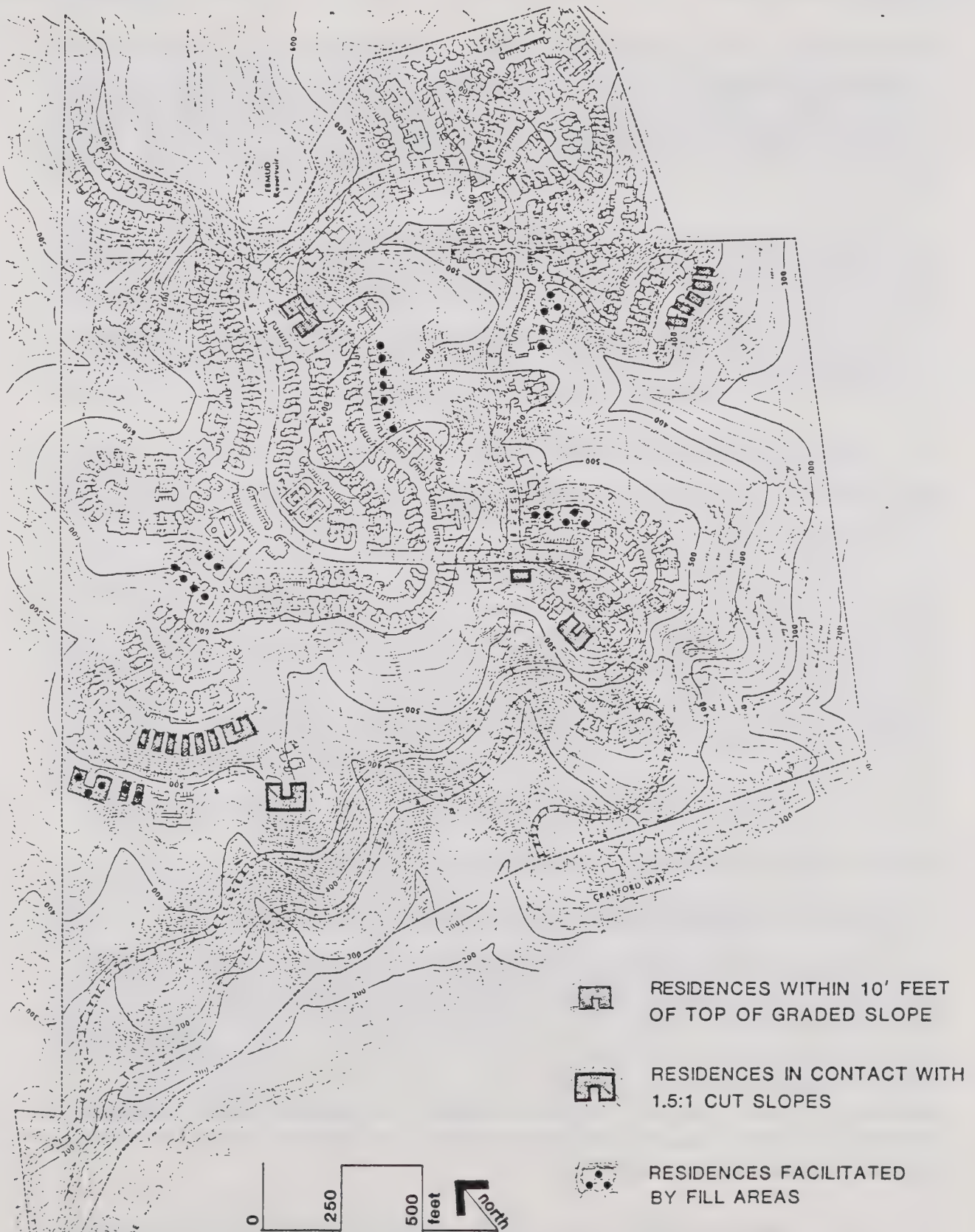


Figure 60
**PROJECT RESIDENCES
SUBJECT TO GRADING IMPACTS**

Source: Darwin Myers Associates

r individual review of the particular home location. As indicated on Figure 60, several of the
r proposed residence locations may involve a setback of less than 10 feet from slopes over
r 15 feet in height. Unless these particular home locations (setbacks) are determined to be
r safe and adequate by the project geotechnical engineer and engineering geologist through
r lot-specific investigation, they could result in *significant impacts* to project residences if slope
r failure occurred.

r (8) Design of Graded Slopes. The project engineering geologist has indicated that cuts or
r fills exceeding 30 feet in height would require six-foot wide drainage terraces at 25-foot
r maximum vertical intervals to provide slope stability. Where cuts or fills exceed 60 feet in
r height, these drainage terraces standards may not be sufficient to maintain slope stability
r and other measures may be warranted. Failure to maintain slope stability would be
r considered a *significant adverse impact*.

e. Construction Period Erosion Impacts

When trees and other vegetation are removed in hilly areas, and the soil mantle is disturbed, the extent of soil loss due to erosion typically increases. The project grading plan includes extensive fill slopes, as well as road subgrades, building pads, and other graded surfaces that would be rough-graded in phase 1, but would not be finish-graded and covered with pavement, structures, or landscaping until subsequent project phases. These grading activities could result in extensive exposed (unvegetated) surfaces and alterations of existing drainage patterns during the project construction period. The possible construction period combination of heavy rainfall, grading-related soil exposure, particularly on the steeper slopes, and other drainage changes represents a high potential for significant adverse erosion impacts. Until vegetation is reestablished, project exposed surfaces and drainage channels could be subject to rilling, rutting, and general erosion, with subsequent siltation and sediment transport downstream. Increased sediment transport could in turn result in substantial increases in downstream drainage system maintenance costs, and adverse effects on downstream water quality and aquatic wildlife.

f. Peralta Oaks Drive-Foothill Way Extension Geotechnical Impacts

The proposed Foothill Way-Peralta Oaks Drive extension would be aligned along the western edge of the EBMUD Dunsmuir Reservoir property, as shown earlier on Figure 13. The Dunsmuir Reservoir sits on top of a knoll within this property, above I-580. According to the original construction plans for the reservoir, the facility has been excavated 30 to 40 feet into the ground. The ground slopes down and away from the reservoir towards the west at 2.75:1 to 4.5:1 slopes (horizontal to vertical). The proposed Peralta Oaks Drive-Foothill Way extension would be located downslope to the west at a distance of between 200 and 450 feet from the reservoir.¹

¹Bissell & Karn, Inc., EIR consulting civil engineers.

EBMUD had assumed such a roadway extension at the time of the reservoir design and construction. The proposed roadway was shown on the reservoir construction plans,¹ but was not constructed by EBMUD. Engineering constraints related to construction of this roadway are as follows, based on consultation with EBMUD:²

Damage to Water Line. The proposed road extension alignment crosses an existing 60-inch-diameter steel water pipeline. The pipeline could be damaged during construction of the road, creating *a significant adverse impact*.

Soil Deposits. The extension alignment borders an area designated as a stockpile for topsoil and granular material used during construction of the reservoir. These deposits could result in *significant ground stability impacts* on the new roadway.

Seepage. EBMUD has expressed concern about possible seepage into the roadway, originating from the reservoir or other natural resources. Such seepage could create slope instability that could result in *significant adverse impacts* on the roadway.

4. MITIGATION MEASURES

Mitigation measures that would minimize adverse geotechnical impacts identified in this EIR as significant are listed below. The section also identifies administrative and procedural actions that would facilitate the implementation of several of the specific impact mitigations. Unless stated otherwise, all mitigation measures identified below are not part of the project and are not proposed by the project applicant.

a. Fault Rupture Impacts

(1) Disruption of the Primary Access Road. The risk of severe damage to the primary project hillside access road as a result of fault rupture along the Hayward fault represents a *significant adverse impact*. While the effects of surface faulting along the hillside access road can be reduced by conservative engineering design of the road where it crosses the fault, provision of adequate secondary access not subject to fault rupture is essential to mitigate this impact to less than significant levels. Provision of adequate secondary access is discussed below.

¹Grading Paving and Access Road Profile, sheet 5176-6-3, EBMUD, May 1944.

²Contacts between Bissell & Karn, Inc., and EBMUD engineers (September 1985) and letter from EBMUD to Robert G. Miller of the Hayward Exchange, Inc., August 22, 1989.

(2) Emergency-Only Access. The project's proposed gated emergency-only access connection to Cranford Way is also on the west side and subject to similar fault rupture disruption potentials on Revere Avenue and Marlow Drive. To mitigate this impact to a less than significant level, provide an additional emergency access connection on the east side of the project. Specifically, provide an additional through collector or emergency only connection via the golf course to Golf Links Road. In order to minimize impacts of the necessary road on the golf course and the Chabot Park Highlands road system, the added connection could take the form of a 20-foot-wide, emergency-only, access road. However, such a connection would have to be designed to satisfy the needs of the Oakland Police and Fire Departments.

The adverse operational impacts on the golf course due to the impacts of the new secondary connection are addressed in Section V.E of this EIR (Project Access).

(3) Residential Subareas. None of the residential areas of the project would be subject to fault rupture damage and no mitigation would be necessary.

(4) Damage to Utilities. Design utilities crossing the Hayward Fault SSZ to withstand potential fault rupture and fault creep. Such designs could include the use of a protective and flexible conduit, plus sand bedding, and offset joints to allow continuous operation of the offsets in the ground. If additional traces of the Hayward fault are identified during construction that would impact utilities, take similar protective measures or modify utility alignments to avoid the fault locations. In addition, record the locations of these traces by the project engineering geologist on a detailed geologic map. Such measures would reduce risk of utility line damage to less than significant levels. (See italicized note at end of this section regarding future studies as mitigation.)

b. Groundshaking Impacts

The CDMG has suggested that the city consider requiring construction measures beyond the minimum standards set forth in the Uniform Building Code.¹ Implement the following mitigation measures to reduce potentials for damage to structures due to groundshaking to less than significant levels.

- (1) Inform the project structural engineer of EIR-identified onsite Hayward fault characteristics for consideration in the designing of project structures to current engineering design standards.

¹Mitigation measures are based on information from the San Francisco Bay Area, On Shaky Ground, ABAG, 1987, and on personal communication with J. B. Perkins, ABAG Earthquake Program Manager, November 19 and 29, 1990.

- r (2) Design all homes so that they do not contain elements particularly susceptible to
- r damage due to groundshaking.

- r (3) Prohibit masonry chimneys and facades.

- r (4) Limit windowpane sizes.
- r (5) Install positive latches on all cabinets.

c. Slope Stability Impacts

(1) Landslides. To reduce potential landslide impacts to less than significant levels, excavate exposed colluvium or debris from existing landslides in either cut slopes or benches for fill and replace with a buttress fill. Determine the depth and extent of the removal in the field by the project soils engineer during excavation operations. (See italicized note at end of this section regarding future studies as mitigation.)

- r (2) Soil Stability. Based on the type of soil material found on each lot during basic grading operations, make specific recommendations for each lot with respect to final foundation type. Standard engineering recommendations by the project geotechnical engineer and engineering geologist would be expected to reduce these potential impacts due to soil stability to less than significant levels. (See italicized note at end of this section regarding future studies as mitigation.)
- r

(3) Cut Slope Impacts. Implementation of the following mitigations would reduce identified impacts associated with proposed cut slopes to less than significant levels:

Gradients. Use 1.5:1 slopes only where raveling of the slope would not affect the stability of developed lots, and only where 2:1 slopes are not feasible. Because the top of cut slopes are likely to consist of weathered rock, roll back the tops of cuts to attain gradients of 2:1. Prohibit cuts in areas of highly weathered bedrock or weak shale or specifically review such areas for warranted mitigation.¹

Oversaturation. Minimize landscaping irrigation. Emphasize landscaping of lots and common areas with native, drought-tolerant species. Develop a plan with the water conservation office of the East Bay Municipal Utility District (EBMUD) for establishment and maintenance of water conserving plant materials. This mitigation should be completed by the project landscape architect.

(4) Fill Impacts. The following mitigations are necessary to reduce fill related impacts to less than significant levels:

Ravine Fill. Condition approval of the grading permit on an adequate quantitative stability analysis of all ravine fills, using the seismic factors provided by PRA in their evaluation of

¹See italicized note at the end of this section.

the project site.¹ Stabilize all fills with benches excavated into stable bedrock. Do not permit fills to toe out on natural slopes steeper than 3:1 without specific approval of the engineering geologist for the project.

Settlement. Design and construct deep fills to minimize the potential for differential settlement. Include over-excavation in the design to provide consistent fill depths beneath graded pads, and greater compaction at depth. Inspect all excavation bottoms of areas to receive fill. This mitigation should be completed by a representative of the geotechnical engineer and engineering geologist. Establish survey monuments within ravine fills at the surface following rough grading. Survey these monuments on a regular basis to establish the amount and rate of settlement. This mitigation should be completed by the project engineering team. Perform the survey at least once annually, commencing with the completion of rough grading and continuing throughout the development of all lots.² Delay construction of residential lots located on ravine fills until the final phase of the project. Alternately, eliminate the ravine fills from the upper portion of the site. The environmentally preferred alternative would be to eliminate the ravine fills; however, both alternatives would reduce impacts to less than significant levels.

(5) Retaining Wall Design. Engineer and construct retaining walls, incorporating standard engineering practices, to avoid significant impacts relating to retaining wall failure.

(6) Drainage. The mitigations described below are necessary to reduce drainage-related slope instability impacts to less than significant levels:

- Replant all graded areas, including building sites and graded areas not designated for immediate construction, with groundcover as soon as possible after completion of grading to stabilize soil and to prevent erosion.
- Intercept runoff from roof gutters and other graded surfaces within closed conduits and convey it to adequate storm drainage facilities.
- Design storm drainage waters in ravines and creek channels to prevent creek bank erosion at the outfall point and to minimize the risk of downstream erosion problems.
- Avoid directing surface runoff onto cut or fill slopes.
- Design and construct all graded slopes with brow ditches or berms at the crest to control surface runoff. Underlay these drainage structures with subdrains as recommended by PRA (the applicant's geotechnical consultants).
- Observe the installation of all subdrains. This mitigation should be completed by a representative of the project geotechnical engineer and engineering geologist.¹

¹See italicized note at the end of this section.

²Ibid.

- Consider the subdrains recommended by the project geotechnical engineer in the 1986 PRA report to be a minimum requirement.
- If any additional seepage areas or poor materials are encountered during site grading, construct additional or deeper subdrains at the discretion of the project geotechnical engineer and engineering geologist.¹
- Regularly maintain all proposed subdrains as provided for in mitigation described later in this section.

(7) Building Setbacks. To reduce slope stability impacts to less than significant levels, consider as a minimum standard the PRA-recommended requirement that no house foundation shall be located within 10 feet of the crest of any slope over 15 feet high, unless the particular house and area have been reviewed and approved for a shorter or longer setback by the project geotechnical engineer and engineering geologist.

For units overlooking cut slopes of 1.5:1 or greater, enforce setback requirements determined by the project geotechnical engineer and engineering geologist based on lot-specific review.

(8) Design of Graded Slopes. Where a cut or fill slope exceeds 60 feet in vertical height, the project geotechnical engineer and engineering geologist shall undertake additional review to determine whether the proposed project standard of six-foot wide drainage terraces at 25-foot maximum vertical intervals is adequate to maintain slope stability, or additional measures are warranted (retaining walls, wider terraces, etc.).

d. Construction Period Erosion Impacts

Implement erosion control measures identified in section IV.E.3.e. of this EIR.

e. Peralta Oaks Drive-Foothill Way Extension Geotechnical Impacts

As indicated by EBMUD, transfer of the necessary EBMUD land to accommodate the proposed Peralta Oaks Drive-Foothill Way extension would require the review and approval of the proposed roadway design by the State Division of Dam Safety to ensure against adverse roadway impacts on the Dunsmuir Reservoir. Other specific measures necessary to mitigate identified impacts to less than significant levels are listed below:

¹See italicized note at the end of this section.

(1) Water Line. Protect the existing 60-inch-diameter water pipeline beneath the proposed Peralta Oaks Drive-Foothill Way extension alignment during roadway construction, or if necessary, lower the pipeline prior to construction, depending upon the final roadway grade.

(2) Soil Deposits. Reflect the results of a soils investigation of the stability of underlying soils, including possible deposits of topsoil from construction of the reservoir, within the engineering specifications for the proposed roadway, and require any warranted repair measures.¹

(3) Seepage. Address potentials for seepage from the reservoir and other natural sources within engineering specifications prepared for the final roadway alignment, and incorporate related drainage solutions as warranted.²

f. General Mitigation Measures

The following general mitigation measures are not in response to a specific impact but would facilitate effective mitigation of all identified impacts.

- r (1) Grading Supervision. Perform all project earthwork under the supervision of a geotechnical engineer retained by the applicant and acceptable to the City.
- r (2) Recommendations of the Applicant's Geologists. Incorporate into the project all geotechnical measures recommended by PRA (see section IV.D.3.a, b, and d) except as specifically revised within the mitigation section of this EIR.
- r (3) Mapping of Actual Geologic Features. Prepare during grading a detailed construction phase geologic map of the project site, showing such features as shearing zones, seepage areas, weathering profiles, joint orientation, etc., to verify that geologic materials are as expected, and that any potentially unstable zones within cut areas have been adequately identified and engineered for in the final grading specifications. If unexpected conditions are encountered, make additional engineering and construction recommendations subject to approval by the city prior to completion of the grading phase.³ This mitigation should be completed by the project engineering geologist and geotechnical engineer.
- r (4) Grading Progress and Completion Reporting. Require the completion of progress reports and a completion report, with a geologic mapping of all cut-and-fill pads and slopes within the graded area, as a condition of the project grading permit. Show the installed location of subdrains and clean-outs on the approved grading map.

¹See italicized note at the end of this section.

²Ibid.

³Ibid.

- r (5) Grading Monitoring. At applicant expense, and as recommended by the CDMG, include periodic monitoring of project grading activities by a city-retained geotechnical engineer (in addition to onsite inspections by the applicant's geotechnical engineer).
- r (6) Discovery of Adverse Conditions. Evaluate weathering and other localized conditions during grading operations. In those areas where adverse conditions are discovered, additional buttress fills and/or retaining walls may be necessary to improve slope stability.¹ This mitigation should be completed by the project engineering geologist.
- r (7) Ongoing Maintenance and Repair Responsibilities. Provide for maintenance of graded areas and geotechnical related mitigation elements of the project. Many of the mitigations recommended in this section will not be effective unless certain ongoing maintenance procedures are ensured. All slopes, drainage terraces, subdrains should be maintained by the Dunsmuir Heights Homeowners Association or by a project-specific maintenance assessment district, according to a maintenance plan and schedule prepared by a registered civil engineer and approved by the city. This plan should be part of the CC&Rs (conditions, covenants, and restrictions) for the subdivision. The purpose of such an assessment district would be to create a private funding mechanism, established by the applicant, to ensure that project residents are financially responsible for: (a) preventative maintenance of drainage systems and cut-and-fill slopes; (b) further geotechnical studies of geotechnical problems if and when they develop; and (c) the cost of repair to common project facilities which might be damaged in the future by landslides, differential settlement, fault rupture, etc. There should be no risk of these costs falling upon the city. The funding mechanism should distinguish between soil movement erosion damage to a single lot, which should be the property owner's individual responsibility, and damage to common roads, utilities, major drainageways, or damage to more than one lot, which should be the joint responsibility of all affected landowners.

A possible funding mechanism would be the creation of a Geologic Hazard Abatement District (GHAD). A GHAD can be used as a means of providing and paying for an ongoing monitoring program to detect and control geologic hazards.² There should be a requirement that the existing function of the GHAD be disclosed to all potential or actual purchasers of project home sites or homes. In the event of serious geologic problems, subzones of an amended GHAD could then be established to allocate equitably the costs of abatement measures between affected landowners.

***Note:** With regard to any mitigation measure that has been described in the EIR that requires future additional determinations, CEQA guidelines and recent court decisions indicate that mitigations must operate in some way to alter the significant impacts of the*

¹See italicized note at the end of this section.

²Such a GHAD was established in 1985 for the Canyon Lakes Project in San Ramon (Contra Costa County).

project. The EIR mitigation measures must be capable of ensuring that the project would be implemented in a manner that alters any potential geotechnical impacts of the project. There is substantial, reasonable information in city records to support the conclusion that

the specific subsequent geotechnical/geologic investigations, monitorings, and specification formulations identified in this EIR would adequately mitigate related impacts to insignificant levels. Such geotechnical/geologic investigations and specifications are routinely required by the city at phases of development review that follow EIR certification; i.e., as conditions of PUD Permit, Tentative Map, or Final Map approval, as grading permit requirements, and/or as building permit requirements. A significant record exists demonstrating the effectiveness of such post-EIR engineering investigation requirements in mitigating the related geotechnical impacts of concern identified in this EIR. Under city PUD Permit, Tentative Map, grading permit and building permit provisions, requirements, and regulations, the project cannot be approved without reasonable indication of project compliance with these geotechnical engineering requirements. These requirements and related city inspection and verification procedures prior to project occupancy provide reasonable assurance that the project would incorporate the design and engineering refinements necessary to reduce the degree of impact to insignificant levels by either avoiding associated geotechnical impact areas altogether (i.e., basic project design changes), or by rectifying the impact through conventional engineering and construction procedures (landslide repair, engineered slope retainment, road and building foundation design particulars, etc.) identified through the investigation and monitoring process.

5. PROJECT RELATIONSHIPS TO ADOPTED LOCAL AND REGIONAL PLANS

a. City of Oakland

The primary locally adopted plan relevant to the project is the Oakland Comprehensive Plan (OCP). The foundation policies of this plan are presented in a document called the Oakland Policy Plan (OPP). Please refer to the Land Use section (IV.A.3: Project Relationship to Adopted Local and Regional Plans) for a discussion of the project relationship (consistency or inconsistency) to several specific policies related to geotechnical factors and grading. These include Land Use policies relating to Natural Setting (OPP, pp. H-1 to H-2); Open Space and Natural Resource policies relating to Earth Resources (numbers 1 through 5; OPP, pp. J-2 and J-4); and Safety and Seismic Safety policies relating to Seismic and Other Geologic Hazards (numbers 2 and 8; OPP, pp. K-1 and K-2).

Municipal Golf Course through the project site and adjoining EBMUD lands towards San Leandro Creek.

r None of the onsite drainage courses have names. Drainage course #1 drains to existing
r Caltrans and city of San Leandro storm drains to San Leandro Creek. Four (#2, #3, #4,
and #5 on Figure 61) currently drain into culverts and a storm drain system beneath the
r Sheffield Village area of Oakland, which eventually enters existing Caltrans and city of San
Leandro storm drains to San Leandro Creek.¹ Two of the drainage courses (#6 and #7)
flow through EBMUD watershed lands to the southwest and into San Leandro Creek. Three
(#8, #9, and #10) drain northerly across the existing wooded open space lands separating
r the project site from the Chabot Park Highlands neighborhood, and into the Oakland
r municipal storm drain system. One (#1) drains into Caltrans and City of San Leandro storm
r drains and eventually into San Leandro Creek.

Drainages 2 through 7 are dominated by live oak and bay woodland. Understory in these drainages is sparse, dominated by poison oak. Watersheds 8 through 10 are dominated by dense stands of poison oak and coyote brush, with live oak and bay woodland downstream of the project site.

Tables 21 and 22, respectively, show estimated existing peak period runoff volumes in cubic feet per second (cfs) for each of the 10 side canyons for the 10-year and 100-year flood. The 132-acre undeveloped site could generate 10-year and 100-year storm peak flow volumes of approximately 48 and 72 cfs, respectively.

Table 21 indicates that, of the total existing runoff volume, 40 percent currently flows west into the existing Sheffield Village drainage system of Oakland and eventually into Caltrans and city of San Leandro storm drains, 42 percent flows southeast via EBMUD watershed lands to San Leandro Creek, and 18 percent flows via the wooded open space area to the northwest into the Oakland drainage system.

As also shown on Figure 61, the largest side canyon (#7) is formed by an unnamed intermittent stream draining to the southwest. This drainage channel accommodates roughly 35 percent (17 cfs) of the current overall runoff on the site. One of the side canyons draining west towards Sheffield Village (#4) accommodates roughly 13 percent (6 cfs) of the current overall runoff; another (#5) accommodates roughly 10 percent (5 cfs). The remaining seven side canyons each accommodate 8 percent (4 cfs) or less of the current overall runoff.

c. Flooding Problems

The site is not located within any Federal Emergency Management Agency flood hazard zone. Further, there are no existing significant flooding problems reported in the project

¹Charles W. Davidson Co. (applicant's civil engineer), correspondence regarding project site storm drainage, March 30, 1988.

vicinity (along the upper reaches of San Leandro Creek).¹ Although unusually heavy rainfall could cause the EBMUD Lake Chabot Reservoir (located southeast of the project site (see Figures 1, 2, 3, and 4) to overflow, properties adjacent to San Leandro Creek would not be inundated. However, in the event of a severe earthquake, the potential exists for flooding of urban areas along San Leandro Creek (excluding the project site) due to dam failure at the Lake Chabot Reservoir.²

d. Water Quality

There has been no indication that existing long term water quality conditions are an issue for the project vicinity with the exception of the creek located near the City of Oakland landfill operation on the Lake Chabot Golf Course. The Department of Fish and Game has reported that water in the creek shows evidence of acute or intermittent toxicity presumably from the contents of the landfill. Residents have also recently reported turbidity in this creek which is also presumed to be the result of the landfill. This activity and resultant water quality do not affect the project site.

e. Groundwater

Purcell, Rhoades & Associates (PRA), geotechnical consultants to the applicant, conducted a series of 20 test pit excavations throughout the project site for use in preparing a 1986 soil and geologic conditions report. The PRA excavations ranged in depth from 1-1/2 to 9 feet below grade. PRA geologists found groundwater at a depth of approximately 4 feet below grade along the bottom of side canyon #7. Groundwater was not found in any of the other excavations. PRA also noted the absence of any springs on the site. However, the possibility exists for encountering localized pockets of groundwater in the underlying bedrock.

2. IMPACTS

a. Project Runoff Impacts

(1) Ground Runoff Increases. The proposed project would modify drainage characteristics on up to 85 acres (64 percent) of the site. Surface flows in the residential development areas of the site would be collected by project roofs, roof gutters, downspouts, streets, gutters, catch basins, and subsurface storm drains, and discharged as diagrammed on Figure 62. Project building coverage and paved areas would increase both the rate and volume of total runoff from the site by increasing the amount of impervious area. Graded

¹Draft San Leandro General Plan, p. IV-13.

²Draft San Leandro General Plan, p. IV-13.

cut-and-fill slopes with associated subdrain facilities (as described in Section IV.D.) would also increase the overall rate and volume of runoff.

Tables 21 and 22, respectively, show the estimated peak period project-related runoff volume changes in the 10 side canyons for the 10-year and 100-year storm. After development, the site would generate an estimated overall 10-year storm runoff volume of

The inclusion of retention basins as part of the project system would potentially result in the following significant impacts unless otherwise noted:

(1) Overflow. Stormwater debris, sediment collection, and weed growth in the basins could use up basin capacity, prohibiting them from retaining sufficient runoff to prevent downstream drainage impacts.

(2) Structural Failure. Earthquake induced or other failure of the basin structure, concurrently with a severe storm event, could result in the release of significant volumes of water down the slopes of the project. The project drainage system design incorporates measures to prevent related impacts to downstream residences by capturing any basin overflow within the project drainage system, and secondarily by directing any uncaptured drainage system overflow along the hillside access roadway. Potentials for inundation beyond roadway edges would be less than significant. The excess water within the roadway would be a less than significant short term impact immediately following basin failure.

(3) Timing of Downstream Flows. Simply maintaining post-development flows at pre-development rates does not ensure that adverse impacts would not occur downstream. Uncontrolled timing of the release of runoff from the basin could result in significant downstream impacts.

(4) Safety Hazards. The inclusion of the retention basins within the project could create safety hazards related to drowning for project or other children.

r (5) Vector Impacts. The proposed retention basin may create favorable conditions or
r habitat for aquatic vectors.¹ The breeding of mosquitoes in particular may create a minor
r health nuisance. This potential vector impact is not considered to be significant.

c. Offsite Erosion Impacts

(1) General. As explained above, storm runoff from the proposed project would flow either north directly onto adjacent, wooded open space lands toward the existing Oakland municipal storm drain system below Chabot Park Highlands, or south onto EBMUD watershed lands towards San Leandro Creek, or west via the hillside access road storm drains, the Caltrans freeway culvert, and the existing San Leandro storm drainage facilities, into San Leandro Creek. The potential for these runoff flows to result in slope failure or erosion is described below.

r ¹"Vector" means any animal capable of transmitting human disease, discomfort, or injury,
r including but not limited to mosquitoes, flies, other insects, ticks, mites, and rats.

(2) North-Facing Drainage Channels. The project civil engineer found no existing evidence of past soil erosion or slope failure along the north-facing drainage channels.¹ Although the heavily wooded nature of the north-facing drainage channels, the steepness of the existing slopes immediately north of the site, and the lack of visible soil erosion or slope failure, indicate that project-related increases in storm runoff to the north would not affect the

¹Ray Bold, Charles W. Davidson Co., Consulting Civil Engineers, project civil engineer.

e. Water Quality Impacts

(1) Surface Water Pollution. Decreased percolation due to the introduction of the project's impervious surfaces (streets and roof tops) would increase runoff volumes. The increased runoff would carry urban runoff pollutants such as garden fertilizers, oil, and grease, some of which would drain into San Leandro Creek. However, these relative project additions to current pollutant levels in the creek would not be expected to constitute a significant water quality impact.

Urban runoff pollutants from the project would also be expected to have no significant adverse affect on ground water aquifers (alluvium), since the project site is not a major recharge area for ground water use.

Some project runoff would be channelled onto wooded open space acreage to the north and south. However, because of the general soil characteristics and topography in these adjacent open space areas, permeability would be restricted and most of the runoff (45.51 of the projected 57.33 cfs) would be directed downstream into San Leandro Creek and the local storm drainage system.

(2) Construction-Period Effects. There would be some short-term significant impacts on surface stream water quality during the project construction period. As described in section IV.D.3.e, project grading operations and associated removal of vegetation would temporarily expose surface soil and increase the potential for construction period soil erosion. This could result in adverse effects on San Leandro Creek such as downstream siltation and increased stream turbidity. These impacts would eventually result in increased sedimentation in the San Francisco Bay.

Recognizing the significance of construction-period sedimentation impacts on local and regional water quality, the San Francisco Bay Region Water Quality Control Board has issued a general resolution stating that local governments have primary responsibility for control of erosion and have adequate power to adopt and administer effective enforcement programs. The Regional Board has enforcement authority over such matters and will take actions against jurisdictions that do not adequately control sedimentation problems.

f. Cumulative Drainage and Water Quality Impacts

No substantial additional development that would have significant cumulative drainage or water quality impacts is anticipated in the project drainage area, with the exception of the landfill operation currently underway on the Lake Chabot Golf Course property. Any project induced erosion could add to the reported existing turbidity in local creeks. (Development of the Melrose Baptist Church property would add to flows from project subdrainages 8, 9, and 10 into the Oakland municipal storm drainage system. The resulting increase in runoff would represent a negligible increase in the total amount of runoff currently accommodated with the 440-acre drainage basin (153 cfs) where these subdrainages are located.)

3. MITIGATION MEASURES

Unless stated otherwise, all of the mitigation measures identified below are not part of the project and are not proposed by the project sponsor. Also, unless stated otherwise, the project sponsor would be responsible for implementation of these mitigation measures.

a. Project Runoff Increases

(1) General Runoff Increases. The following mitigation measures would be necessary to reduce impacts due to general runoff increases to less than significant levels:

- Include engineering data with the project Final Map verifying that project site storm drainage facilities described herein have been designed to adequately handle storm drainage runoff with reasonable assurances against significant property damage to downstream urban areas. (See italicized note at the end of this mitigation section regarding such future determinations.)
- Because storm runoff would flow offsite through city of San Leandro and Caltrans facilities, as well as the city of Oakland system, submit the drainage plan for review and approval by the Engineering Division of the San Leandro Community Development Department and by Caltrans District IV, as well as by the Oakland Public Works Department, prior to approval of the Final Map. (See italicized note at the end of this section regarding future additional determinations.)

(2) Runoff Increase to the North. No mitigation required.

(3) Runoff Increase to the South. No mitigation required.

(4) Runoff Increase to the East. No mitigation required.

(5) Runoff Increases to the West. In order to adequately handle projected existing-plus-project runoff increases to the west, replace the 200-foot section of 48-inch CMP that extends from MacArthur Boulevard to Fortuna Avenue with a higher capacity pipe. As a condition of project approval, fund this and any other downstream drainage system improvements in the city of San Leandro or under Caltrans jurisdiction that are required to accommodate the project runoff increases.

This pipe replacement measure would result in construction period impacts, including possible short-term disruption of traffic flows on Dowling Boulevard, and construction period noise impacts on Dowling Boulevard between MacArthur and Fortuna Avenue. Assuming that this construction activity would follow normally required city of San Leandro infrastructure construction and repair procedures, the impact would be temporary and less than significant.

vegetative measures to reduce erosion and sedimentation, and appropriate seasonal maintenance. Keep the plan in effect for a period of time sufficient to stabilize the construction site for all phases of the project.

In particular, include the following provisions in the erosion control plan:

- Confinement of construction operations, especially grading activities, as much as possible to the dry season in order to avoid erosion of disturbed soils;
- Revegetation of all graded areas, including road subgrades and building pads which are rough graded in phase 1, but not constructed until subsequent project phases (this revegetation would be removed as necessary in later phases when finish grading, paving, and building construction occurs); and
- Incorporation in all landscaping plans the use of fast-growing groundcovers to stabilize soil soon after construction. All graded areas, including future homesites and roadways not scheduled for immediate construction should be planted with groundcovers to stabilize the soil and to prevent erosion.

Implementation of such a plan would reduce construction period water quality impacts to less than significant levels.

f. Cumulative Drainage and Water Quality Impacts

- r Project mitigations relating to offsite erosion and construction period impacts listed earlier in
r this section would reduce project contributions to cumulative sedimentation impacts to less
r than significant levels.

Note: *With regard to any drainage impact mitigation measure that has been described in the EIR that requires future additional determinations, CEQA guidelines and recent court decisions indicate that mitigations must operate in some way to alter the significant impacts of the project. The EIR mitigation measures must be capable of ensuring that the project would be implemented in a manner that alters any potential drainage or water quality impacts of the project. There is substantial, reasonable information in city records to support the conclusion that the specific storm drainage engineering and maintenance responsibility verifications identified in this EIR would adequately mitigate related impacts to insignificant levels. Such engineering specifications and maintenance provisions are routinely required by the city at phases of development review that follow EIR certification; i.e., as conditions of PUD Permit, Tentative Map, or Final Map approval, as grading permit requirements, and/or as building permit requirements. A significant record exists demonstrating the effectiveness of such post-EIR engineering and maintenance verification requirements in mitigating the related storm drainage impacts of concern identified in this EIR. Under city PUD permit, Tentative Map, grading permit and building permit provisions,*

requirements, and regulations, the project cannot be approved without reasonable indication of project compliance with these storm drainage engineering and maintenance requirements. These requirements and related city inspection and verification procedures prior to project

shown on Figure 64 and in Table 25. Project-generated noise impacts would result from project-related vehicular traffic increases along local roadways, and by the proposed bus line rerouting along the proposed Peralta Oaks Drive-Foothill Way extension.¹

Proposed Bus Rerouting: The reconstruction of the existing southern entry to the Dunsmuir House and Gardens complex would include the construction of bus pulloffs on the Peralta Oaks Drive-Foothill Way extension. To make use of the pulloffs, existing local AC Transit lines along Marlow Drive would have to be rerouted onto the Peralta Oaks Drive-Foothill Way extension. Rerouting of the lines 55 and 40 may not be feasible, given the relatively low anticipated local ridership (see section IV.C.4.i of this EIR). However, if the rerouting were implemented, bus traffic would be added to Foothill Way, accompanied by a corresponding decrease in bus traffic on Marlow Drive.

The increase in bus traffic on Foothill Way would result in maximum single event noise levels of between 70 and 80 dBA. During day and early morning hours (i.e., between 7:00 AM and 7:00 PM), these intermittent bus-generated noise levels would be similar to intermittent noise levels already generated by trucks accessing I-580 via this route. However, assuming the frequency of these passbys would increase significantly, average noise levels along the route would increase accordingly. An added increase in average daily noise levels of as much as 3 dBA could occur along this collector route as a result of the bus rerouting, a "just perceivable" difference and a less than significant impact.

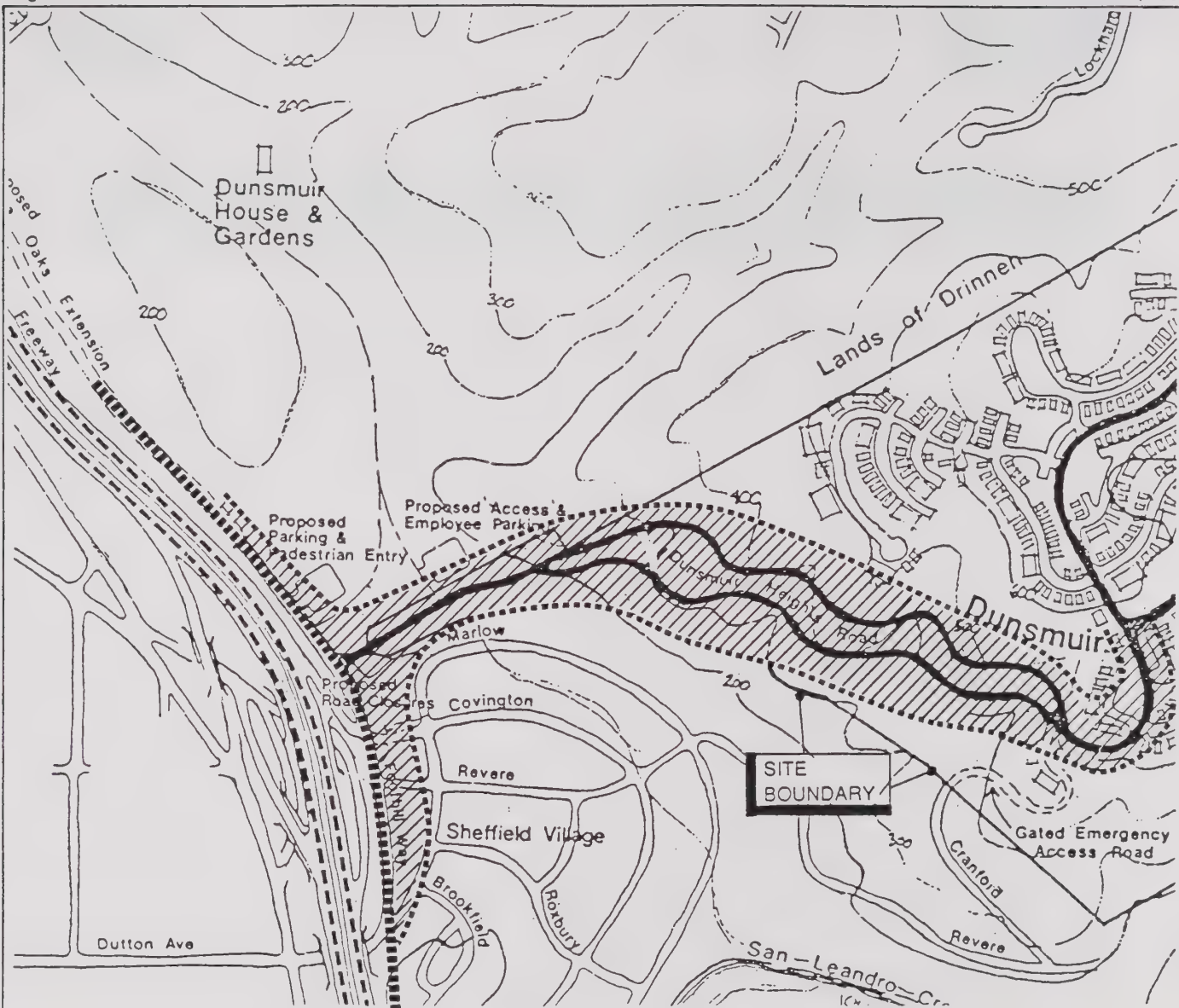
The rerouting would have a beneficial impact on noise levels along Marlow Drive residential frontages where bus travel would be reduced or eliminated by the proposed rerouting.

Project-Related Automobile Traffic Increases: The project would generate approximately 4,827 daily vehicular trips (see Table 12 in chapter IV.C), which would increase traffic noise levels in the vicinity of the project. Project-related increases in vehicular traffic (including the routed bus traffic from Marlow to Foothill Way) would result in noticeable and significant noise level increases at the following three of the four offsite measurement locations:

(2a) *Noise Impacts on Apartments Located on Foothill Way Between Marlow and Revere (noise measurement location A).* Location A is in the backyard of the home on Revere Avenue at the intersection with Foothill Way. Project-generated traffic would increase the noise level at this location by approximately 8 dBA (L_{dn}); i.e., the existing estimated exterior noise level of 56 dBA would increase to approximately 64 dBA. This increase would be noticeable and constitute a significant adverse environmental impact on the four two-story apartment buildings fronting on the east side of Foothill Way between Marlow and Revere.

¹Please note that although at this point in time there are no plans to implement the Peralta Oaks Drive-Foothill Way extension without the project, it is possible that the extension could eventually occur anyway without the approval and construction of the Dunsmuir Heights project.

Approximately 16 apartment units in these structures have ground- or second-story living or sleeping areas with windows facing Foothill Way. Given the noise attenuation provided by windows, walls, and doors, the interior noise levels would range from 39 to 49 dBA in most



LEGEND

- EXISTING 60 dBA Ldn NOISE EXPOSURE
- ▨ PROJECTED 60 dBA Ldn NOISE EXPOSURE
(DUE TO PROJECT-PLUS-CUMULATIVE TRAFFIC)

NOT TO SCALE



NORTH

Figure 64
NOISE EXPOSURE

Dunsmuir Heights Oakland, California

Table 25
PROJECTED NOISE LEVELS

Location	Ldn		Increase	Source	Likely Effect
	Existing	Project			
A	56	64	8 dBA	Increased traffic on Foothill Way	Noticeable and significant
B	54	62	8 dBA	Increased traffic on Foothill Way	Noticeable and significant
C	59	62	3 dBA	Increased traffic on Foothill Way	Barely noticeable
D	56	61	5 dBA	Traffic on project access road	Noticeable and significant

SOURCE: Charles M. Salter Associates, Inc.

of these spaces, exceeding the city's 45 dBA (L_{dn}) interior noise standard, and resulting in a significant project-related noise impact.

(2b) *Noise Impacts on Homes Located on Marlow Drive Between Revere Avenue and Covington Street (noise measurement location B).* Location B is representative of backyards of homes along Marlow Drive between Revere Avenue and Covington Street. The existing noise level was estimated at 54 dBA (L_{dn}) and was dominated by traffic on Foothill Way and I-580. These noise impacts would affect the exterior (backyard) noise environments of two or three homes on the west side of Marlow between Revere and Covington. As shown in Table 25, the project-generated traffic increase on Foothill Way would change the noise level at this location by approximately 8 dBA (L_{dn}). The existing estimated exterior noise level of 54 dBA would increase to approximately 62 dBA. This increase would be noticeable and constitute a significant adverse environmental impact.

(2c) *Noise Impacts on Homes Located on Covington Drive Near Foothill Way (noise measurement location C).* Location C is at the foot of Covington near Foothill Way, a location that would be directly affected by noise from increased vehicular traffic accessing the I-580 northbound freeway on-ramp. As shown in Table 25, the project-generated traffic would increase noise levels at this location by 3 dBA, which would represent a barely noticeable increase. Thus, the noise impact at this location would be less than significant.

(2d) *Noise Impacts on Homes Located on Marlow Drive North of Covington Street (noise measurement location D).* Location D is representative of noise levels of homes located along Marlow Drive north of Covington Street near the first segment of the proposed project access road. The existing noise level here was estimated at 56 dBA (L_{dn}) and was dominated by traffic on Foothill Way and I-580. As shown in Table 25, the project-generated traffic increase on the project access road and on Foothill Way would increase the noise level at this location by approximately 5 dBA (L_{dn}) to an exterior L_{dn} of approximately 60 dBA. This increase would be noticeable and would constitute a significant adverse environmental impact.

At location D, existing noise levels are affected primarily by the freeway and, to some degree, the northbound Foothill Way/I-580 onramp. Project-generated increases in traffic noise levels along these roadways (5 dBA) would be noticeable. The principal source of the projected noise increase here would be vehicles traveling on the first segment of the project access road (Dunsmuir Heights Road). The increase of approximately 5 dBA would significantly affect exterior noise levels in the backyards of the first eight homes on this side of Marlow Drive north of Covington Street. The ground floor elevation of the ninth home on Marlow Drive north of Covington Street, and subsequent homes to the east of that point, would be 30 feet or more below the surface of the access road. This difference in elevation would serve to abate project noise impacts on these remaining Marlow Drive homes to less than significant levels.

(3) Project-Plus-Cumulative Traffic Noise Impacts Along Local Streets. Figure 64 provides a generalized depiction of approximate project-plus-cumulative traffic-related noise levels along affected roadways in the project vicinity. The cumulative traffic noise impacts would be directly related to the project; i.e., the cumulative traffic noise impact would be due to the rerouting of traffic onto the Peralta Oaks Drive-Foothill Way Extension. If the project were not developed, the Peralta Oaks Drive-Foothill Way extension would not be likely to be implemented¹ and the increase in traffic resulting in the cumulative noise impact depicted on Figure 64 would not occur. Figure 64 shows that homes adjacent to Foothill Way between Marlow Drive-Dutton Avenue and the project entry would be exposed to exterior noise levels at or above 60 dBA L_{dn} due to the projected cumulative traffic on Foothill Way. Interior noise levels would be 15 to 25 dBA lower due to noise attenuation features provided by doors, walls, and windows (15 dBA with windows open and 25 with windows closed.) This increase would constitute a significant adverse project-related environmental impact.

¹Although the Peralta Oaks Drive-Foothill Way extension is called for in the City of Oakland "1985 Trafficways Plan," the extension has not been seriously considered independent of development on the project site.

Future cumulative noise levels at other Sheffield Village residences would be at or below the city's exterior noise threshold standard of 60 dBA L_{dn} , and would constitute a less than significant impact.

significant short-term adverse noise impacts on the closest adjoining residences could be expected during the entire construction period.

As construction proceeds into the higher residential subareas on the site, construction activity-generated noise levels would decrease. Nevertheless, construction noise would continue to be audible and exterior noise levels at nearby residences would significantly exceed existing noise levels periodically during the approximately five- to six-year construction period.

Noise level increases from construction activity would adversely affect residents near the project site, golfers using Lake Chabot Golf Course, and project residents (residents living in units built during initial phases of the project), and would constitute a significant adverse environmental impact.

(2) Construction-Related Offsite Truck Traffic Noise Impacts. Residences along local access routes to the site (e.g., Foothill Way, MacArthur Boulevard, and Dutton Avenue) would experience periodic short-term noise level increases due to construction-related truck traffic. Such intermittent noise could increase exterior residential noise levels at residences along these routes to between 70 and 80 dBA at typical residential setback distances. As a result, corresponding interior noise levels could intermittently exceed the 45 dBA threshold level. During day and early evening hours (i.e., 8:00 AM to 7:00 PM), these intermittent truck-generated increases probably would not be highly noticeable. However, during early morning and later nighttime hours when background noise levels are lower (i.e., 7:00 PM to 8:00 AM), construction-related truck traffic noise would be more noticeable and could result in significant adverse impacts on residences adjacent to project access routes.

(3) Offsite Roadway Modification Construction Noise Impacts. As discussed in the Transportation section of this EIR (IV.B), the project would require the construction of the Peralta Oaks Drive-Foothill Way extension and modifications to the I-580 Foothill Way onramp. These modifications would require the operation of some of the noise-generating construction equipment identified in Table 26 (e.g., trucks, "pavers," jackhammers, etc., generating noise levels of up to 98 dBA). Construction of these offsite road facilities would result in significant temporary daytime noise impacts on residents of the apartments located on Foothill between Marlow and Revere, for the duration of this extension construction phase, which is estimated to take three to six months.

(4) Emergency Access Road Construction Noise Impacts. An estimated eight to nine homes located on Cranford Way in Sheffield Village would be exposed to short-term noise impacts from construction of the project emergency access road. These homes are located approximately 200 feet from the proposed emergency access road. Noise levels at 50 feet for construction equipment such as graders and pavers would reach up to 95 dBA. Based on an assumed 5 dBA decrease in noise levels for every doubling of distance from the noise source, exterior noise levels at the exterior of the homes on Cranford Way would

reach up to 85 dBA. Walls, doors, and windows of the homes would reduce interior noise levels approximately 15 to 25 dBA (with windows open and closed, respectively). Therefore, the highest interior noise levels would be expected to reach 70 dBA with windows open, and would constitute a significant temporary impact.

(5) Water Line Extension Construction Noise Impacts. As discussed in the Municipal Services section of this EIR, the project would require pipeline improvements to extend water service from May Reservoir to the project site. According to the East Bay Municipal Utilities District (EBMUD), three alternative alignments for the extension route have been considered, including (a) through existing residential streets in Chabot Park Highlands, (b) through residential streets in Chabot Park Estates and Lake Chabot Golf Course, and (c) along Skyline Boulevard through the Lake Chabot Golf Course. No decision has been made by EBMUD with respect to which alignment would be more likely.¹ The construction characteristics of each alignment would be as follows:

Alignment Through Lake Chabot Golf Course. This alignment would require excavation to install new water lines under Skyline Boulevard and possibly Golf Links Road. It would take an estimated two months to install lines under the golf course.² EBMUD has also indicated that some of the work on the golf course could be performed at night to minimize disruption of golf course operations in areas of the golf course that are far enough from residences so that nearby residents would not be disturbed.

Alignment Through Lake Chabot Highlands. To extend water service to the project through Chabot Park Highlands, existing water lines located under public and private streets in the neighborhood would have to be replaced and upgraded to serve the project. Such water line replacement within the neighborhood would take an estimated three to four months. Some Chabot Park Highlands residents have already voiced opposition to this alignment to EBMUD.³

Alignment Through Chabot Park Estates. To extend water service to the project through Chabot Park Estates (Grass Valley to Glen Manor, to Sun Valley to Golf Links Road), existing lines located under the streets would have to be replaced and upgraded to serve the project. Such water line reconstruction could take a couple of months. The construction period traffic and noise impacts would be disruptive to residents but less so than the alignment through Chabot Park Highlands.

¹Bill McGowan, Associate Civil Engineer, East Bay Municipal Utilities District, personal communication, October 25, 1990.

²McGowan.

³McGowan.

- r Each of the three alignments would result in temporary offsite construction noise impacts.
- r However, the alignment through Chabot Park Highlands or Chabot Park Estates would create noise impacts generated by jack hammering of paved streets and repaving that would affect a substantial number of residents, while the alignment through the golf course
- r would disturb relatively few residents. The alignment through Chabot Park Highlands would
- r disrupt more residents than the other alignments. (The portion of the alignment that would traverse the golf course would not involve the loud jack hammering and repaving necessary for installation of lines under paved streets.)

As shown in Table 26, noise levels from jack hammers reach up to 98 dBA at 50 feet. Thus, exterior noise levels at affected homes in Chabot Park Highlands could reach up to 98 dBA. Walls, doors, and windows of the homes would reduce interior noise levels 15 to

Way extension construction program, to shield the adjacent Marlow Drive residential rear yards from Foothill Way traffic noise. To be effective, the barrier must be air tight, and have a minimum surface weight of 3 pounds per square foot (i.e., masonry or one-inch thick wood). In general, a 6-foot high, 3 pound per square foot noise barrier would decrease noise levels by 5 to 8 dBA.¹ With a properly designed noise barrier, resulting exterior noise levels in the affected rear yards would be expected to be less than the Oakland Office of Public Works' 60 dBA (L_{dn}) outdoor residential noise standard.

Figure 65 illustrates the recommended noise barrier location. The noise barrier illustrated on the figure between Revere and the project access route would be approximately 400 feet long. Portions of the barrier wall would replace an existing, 6-foot-high wire ("cyclone") fence. Incorporate special measures in the wall design to avoid adverse visual impacts. Suitable materials could include wood, masonry block, pre-cast masonry panels, or pre-cast concrete panels. If wood is used, choose either a plywood panel-and-post or a board-and-batten type construction to maintain airtight joints.

(2c) *Noise Impacts on Homes Located on Covington Drive Near Foothill Way.* No significant noise impacts have been identified at this location; no mitigation is required.

(2d) *Noise Impacts on Homes Located on Marlow Drive North of Covington Street.* To reduce noise impacts of the project access road (Dunsmuir Heights Road) on homes located on Marlow Drive north of Covington Street to less than significant levels, include a continuous noise barrier approximately six to eight feet in height within the roadway right-of-way. Design the barrier to reduce noise in the backyard edges of the first eight or nine homes along Marlow Drive north of Covington Street. These backyards would be directly adjacent to either Foothill Way or the proposed project access road (Dunsmuir Heights Road). The proposed location of the barrier is shown on Figure 65. Design the barrier to be airtight and constructed of material having a minimum surface weight of 3 pounds per square foot. Also design the barrier to maximize its visual compatibility with the adjacent homes through a combination of architectural treatments and rear-yard noise-wall-related landscaping allowances for the affected homes. Design the barrier to be visually compatible with (or identical to) the noise barrier recommended above under mitigation (2a) for Foothill Way north of Revere Avenue (see Figure 65). The visual impacts of these barriers could be reduced through architectural treatment; however, they would not be reduced to less than significant levels.

(3) Project-Plus-Cumulative Traffic Noise Impacts. Figure 64 indicates that project-plus-cumulative traffic noise impacts would be significant along Foothill Way. As a result, existing homes located along the east side of Foothill Way would be subject to significant noise impacts. These project-plus-cumulative traffic noise impacts would not occur without

¹Alan Rosen, Charles M. Salter Associates, personal communication, March 9, 1989.

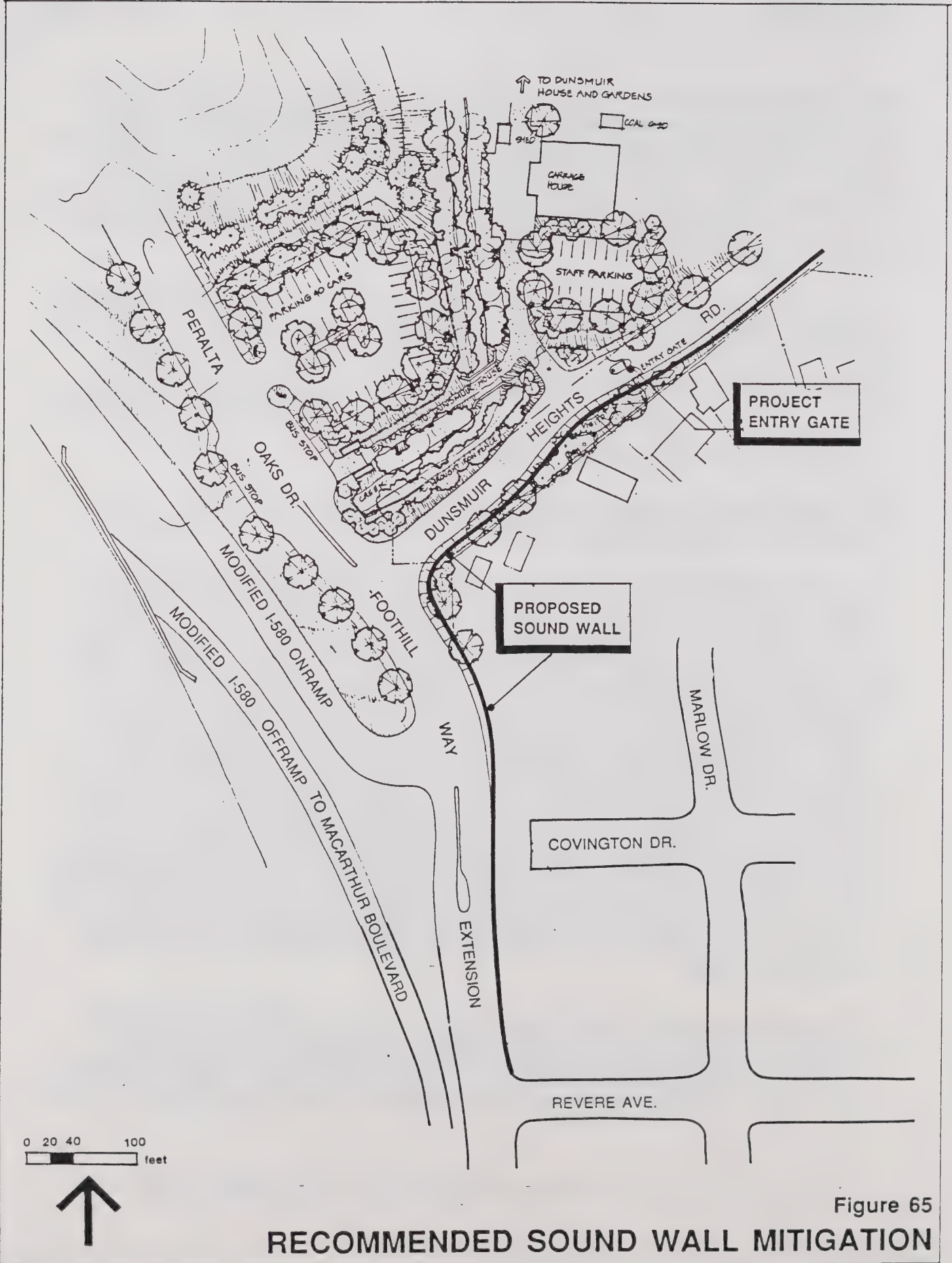


Figure 65

RECOMMENDED SOUND WALL MITIGATION

b. Project Impacts

(1) Project-Generated Service Demand Impacts. Development of the 507-unit project, which is expected to house 1,406 people, would lead to an increase in the demand for typical police services such as routine patrolling and responding to calls regarding domestic disputes, suspicious persons, and disturbance of the peace. In addition to these typical routine police needs associated with residential development, other possible effects of the project include an increase in the number of complaints regarding: (a) traffic speeds on collector streets in the project vicinity such as Peralta Oaks-Foothill Way, and (b) inadequate police patrol of open space areas both onsite and adjacent to the site.

Project-generated police service needs would primarily affect the department's Field Operations Division and Investigation Division. Applying the 1990 Full Time Equivalent (FTE) personnel-to-resident population ratio of 1.47 per thousand for the Field Operations Division and 0.60 for the Investigation Division, the project would generate an estimated additional demand for 2.06 and 0.85, respectively, approximately three additional FTE police personnel, which would constitute a significant impact. The project would also increase operations and maintenance costs within these divisions of the department. (It should be noted that this FTE per capita approach tends to overstate the project impact, since it implicitly assumes that all demand for police services in these two principal divisions is generated by residential population. In fact, substantial demand for these division services is also generated exclusively by the city's non-residential land uses; e.g., retail, office, industrial, and institutional.)

(2) Site Access and Emergency Response Time Impacts. The applicant proposes to provide an unstaffed, automatically-operated gate at the main entrance to the project and a locked gate at the emergency-only access road. The Police and Fire Departments have drafted a policy regarding an acceptable means by which emergency and service vehicles can gain access through the gates in residential developments.¹ If this policy was adhered to, access and response time would not be impeded by the gates. However, the length and steep gradient of Dunsmuir Heights Road and the fact that no through-access routes

¹Chief Robert W. Nichelini, Deputy Chief of Police, City of Oakland, written communication, April 18, 1991. The Police and Fire Departments' policy is to have unimpeded emergency access to all residential developments and unmanned gates must provide exit-on-demand features. Access for non-emergency routine patrol and inspection may be provided by a key switch keyed to the city's call box system since that key is presently carried by police and fire personnel. All unmanned gates must be capable of being activated (opened) by the sound of the standard emergency vehicle siren "yelp" mode.

r would be provided, would result in emergency response times to project residences that could substantially exceed five minutes.¹

r ¹Peoples 1987 and 1990.

r

- r Access restriction effects would constitute a significant adverse impact.

(3) Earthquake-Related Site Emergency Access Impacts. Because the initial segment of the proposed primary project access route, Dunsmuir Heights Road, crosses the active Hayward Fault Special Studies Zone (SSZ), emergency service access to project residential areas via this route could be disrupted in the event of a major rupture of the fault (the potential effects of fault rupture on the route are described in more detail in section IV.D of this EIR).

To provide alternative emergency access to the site, the project development plan also includes an emergency-only access road with a locked access gate leading from the Cranford Way cul-de-sac in Sheffield Village to the project road system in the South Subarea. However, the collector street serving Cranford Way, Revere Avenue, is also within the Hayward Fault SSZ. Thus, emergency service access via this emergency service access route could also be disrupted in the event of a major earthquake. This potential disruption of emergency access in the event of an earthquake constitutes a significant adverse impact.

(4) Construction Period Police Service Impacts. Project construction equipment and construction materials, particularly in the relatively isolated ridgetop portions of the site, would be subject to vandalism and theft. This factor would constitute a temporary significant adverse impact.

c. Mitigation Measures

Unless stated otherwise, all mitigation measures identified below are not part of the project and are not proposed by the project proponent. Also, unless stated otherwise, the project sponsor is responsible for implementing the listed mitigation measures.

(1) Project-Generated Service Demand Impacts. Implement each of the following mitigation measures to reduce the project generated police service demand impacts to a less than significant level.

(1a) Increase Staff. Over the five-year period following commencement of project Phase 1, add two people to the Field Operations Division and one person to the Investigative Division of the Oakland Police Department and proportionately increase

the operations and maintenance budget in order to maintain the city's 1989-1990 FTE ratio of staff to population. (Responsibility: City of Oakland)

(1b) Provide Adequate Street Lighting. Provide adequate street lighting in project residential and recreational areas to discourage criminal activity, thereby reducing the number of police calls.

(1c) Submit Hardware Specifications. Submit specifications for hardware to be used on all doors, windows, and door frames in the project for review by the Police Department; adopt (install, incorporate), to the maximum extent feasible, improvements identified by the Police Department in the course of that review.

(1d) Submit Unit Address Specifications. Submit drawings specifying the size and location of all unit addresses to the Police Department.

(1e) Visible Unit Addresses. Provide that all addresses for all dwelling units are visible from the street, particularly in the townhouse clusters.

(2) Site Access and Response Time Impacts. Implement each of the following measures to reduce potential emergency access and response time impacts to less than significant levels:

(2a) Provide Northeast Connection. Provide an alternative emergency-only access road or a through-street connection that extends northeast from project residential areas through the municipal golf course to Golf Links Road, for use in the event of a disruption of access on the west side (fire, fault rupture, etc.). Section V.D.1 through 6 of this EIR describes possible alignments for such a connection, related impacts on local traffic and the golf course, and associated additional mitigation needs. As an alternative to a through-collector street, this connection could be gated or barricaded at each end to mitigate adverse traffic impacts on the golf course and on the project itself, provided that such emergency-only access controls could be designed and maintained to the satisfaction of the Police and Fire Departments.

r *(2b) Provide Restricted, Unimpeded Entry to the Site.* The Police Department and Fire Department are concerned that the proposed automatic entry gate to Dunsmuir Heights Road, and the proposed locked gate to the emergency-only access road connection at Cranford Way, would impede access by emergency vehicles. Eliminate or modify
r these project access control features to ensure that access is restricted to the public
r but that access is unimpeded for emergency vehicles to the satisfaction of the Police Department and Fire Department. The traffic impacts on Cranford Way and Revere Avenue of an ungated emergency access connection here are identified in the Transportation section of this EIR (IV.C.2) as less than significant.

(2c) Obtain Police and Fire Department Approval. Prepare these emergency access revisions in consultation with the Police and Fire Departments, and obtain Police and Fire Department approval of project emergency access provisions prior to final project approval by the city.

(3) Earthquake-Related Emergency Access Impacts. Provide adequate secondary emergency access to the northeast side of the project to mitigate this impact. Any of the Golf Links Road connection alternatives discussed above (mitigation measure 2a) would provide such access and would mitigate this impact to a less than significant level.

(4) Project Construction Period Police Service Impacts. Submit a written "Construction Crime Prevention Plan" to the satisfaction of the Chief of Police, describing how construction equipment and materials would be protected against vandalism and theft. Implementation of the Police Department approved plan would reduce this impact to a less than significant level.

2. FIRE PROTECTION

a. Setting

(1) Existing Fire Hazard. The hill areas of Oakland are categorized as "critical fire zones." Hazardous characteristics of such zones include: (1) densely growing trees and highly flammable species of scrub; (2) steep slopes that uphill fire spread; and (3) proximity to other wildlands.¹ According to the findings of the 1982 Urban Interface Fire Prevention Committee established by the East Bay Regional Parks District, serious wildland fire hazards exist along the 25-mile "urban-wildland interface zone" extending from the north end of Wildcat Canyon Regional Park in Richmond to the south end of Anthony Chabot Regional park in Oakland. The project site is within this zone.

(2) Existing Hillside Fire Protection Policies. Provisions contained in the city's 1986 North Oakland Hills Fire Protection Ordinance, which specifically apply to a geographic area that does not include the project site, are nevertheless relevant to consideration of the project, given the similarities between the project site, which is located in the south Oakland hills, and the conditions in the north Oakland hills area that are addressed by the ordinance (e.g., steep terrain, limited access, surrounding brush and other vegetation). Fire protection measures set forth in this city ordinance include use of fire retardant materials, particularly for building exteriors and roofing, installation of residential standard fire sprinklers in the interior of all buildings, adequate building setbacks from surrounding "natural" open space

¹City of Oakland, North Oakland Hill Area Specific Plan and Environmental Impact Report, November 10, 1986.

areas, and a vegetative management program. The city's Fire Prevention Bureau believes that such measures are also appropriate for existing conditions on the project site.¹

The city has also prepared a set of residential sprinkler guidelines, which are included in Appendix D of this EIR.

r (3) Existing Fire Protection Service. The Oakland Fire Department provides fire protection,
r emergency medical, and rescue services throughout the city. A majority of the calls
r responded to by the Fire Department are medical emergency calls. In 1989 the Oakland
r Fire Department responded to a total of 38,207 calls for service. Of that total, 27,495, or
r approximately 72 percent, were responses to EMS calls. Emergency ambulance service is
provided under contract by private companies. The fire department's goal is to respond to
fires within four minutes.²

Personnel. The Fire Department currently has 440 sworn personnel and 27 non-sworn personnel at 23 stations. This staffing level is below the 1989-1990 budgeted staffing level of 480 sworn fire fighters and 27 non-sworn staff members.³

Station No. 26. Currently, Station No. 26 is the closest operating fire station to the project site. As shown on Figure 66, Station No. 26 is located approximately 1.25 miles from the site at 2660 98th Avenue near Stearns Avenue. This station provides primary first-alarm fire protection services to the project vicinity and the greater southeast Oakland area, extending from 81st Avenue to the San Leandro boundary and from Bancroft Avenue to the eastern city boundary. Records at Station No. 26 indicate that response times to Sheffield Village (located just south of the site) average about four minutes. The emergency response time from this station to the west edge of the project site is about four minutes, based on response times to the adjacent Sheffield Village area.⁴

There are four fire fighters on duty at any one time at Station No. 26. The station is equipped with a 1,500 gallon per minute (gpm) capacity pumper truck and a brush wagon (water-carrying vehicle).

¹James Art, Fire Protection Engineer, Oakland Fire Prevention Bureau, personal communication; June 1, 1988.

²Al Nero, Assistant Chief of Support Services, Oakland Fire Department, personal communication, October 16, 1990.

³Nero 1990.

⁴Al Nero, Assistant Chief of Support and Services, Oakland Fire Department, personal communication, May 26, 1988 and October 16, 1990.

Station No. 20. Station No. 20, located approximately 2 miles from the project site at 1270 93rd Avenue near "A" Street, also provides first-alarm service to the project vicinity (see Figure 66 for location). The emergency response time from this station to the edge of the

project site would exceed four minutes. Station No. 20 has eight fire fighters on duty at any one time, and is equipped with two 1,500 gpm capacity pumper trucks and a rescue vehicle.¹

Closed Station No. 17. Before the passage of Proposition 13, the Fire Department also operated the Grass Valley Station located at 4615 Grass Valley Road above the project site near Golf Links Road (see Figure 66). However, this station was closed in the late 1970's in response to budget cuts.²

Second Alarm Stations. In the event of a second alarm, Station No. 23 at 73rd Avenue and Foothill Boulevard, current Station No. 17 at High Street and MacArthur Boulevard, and Station No. 18 at 50th Avenue and Bancroft Avenue would also respond. The emergency response times from these stations to the project vicinity is estimated to be 15 minutes or more.³

Under a mutual assistance agreement between Oakland and San Leandro, the San Leandro Fire Department would respond to requests for assistance from the Oakland Fire Department.

b. Project Impacts

(1) Wildfire Hazard Impacts. In general, development of the project would introduce additional demands for fire protection services similar to other single-family and multi-family residential developments, except that the proximity of the proposed residential development areas to open space areas with brush and other vegetation would present a greater wildfire hazard, particularly in the summer months. This exposure of the project to wildfire damage risk is a concern of the city's Fire Prevention Bureau. Unless properly abated, this wildfire hazard would constitute a significant adverse impact.

(2) Project-Generated Service Demand Impacts. Development of the project would create additional demands for all Fire Department services. This service demand increase would be typical of other single-family and multi-family residential developments, except that the wildfire risks described above, unless properly abated, would present an increased fire hazard, particularly in the dry summer months.

¹Al Nero, Assistant Chief of Support and Services, Oakland Fire Department, personal communication, May 26, 1988 and October 16, 1990.

²Don Matthews, Assistant Chief, Oakland Fire Department, personal communication, November 1, 1988.

³Nero, 1988 and 1990.



LEGEND

<u>Fire Station</u>	<u>Location</u>
No. 26	2660 98th Avenue
No. 20	1270 93rd Avenue
No. 17 (closed)	4615 Grass Valley Road

Figure 66
FIRE STATION LOCATIONS

Dunsmuir Heights Oakland, California

On the basis of written comments received from the Oakland Fire Department and subsequent discussions with department staff, it is estimated that the project would generate a demand for two additional Full Time Equivalent positions in the department,¹ plus related increases in operations and maintenance costs. This increased need for service and staffing would constitute a significant impact.

(3) Site Access and Response Time Impacts. The closest operating fire station to the project is Station No. 26 on 98th Avenue. With the proposed Peralta Oaks Drive-Foothill Way extension, the distance from the site to 98th Avenue would be about one-third of a mile shorter than the distance with the current roadway configuration. On the basis of an existing response time of just over four minutes from Station No. 26 to Sheffield Village, it is expected that the response time to the main entrance of the project at Foothill Way after implementation of the proposed roadway extension would be about four minutes. The travel time between the entrance and the residential areas above would vary from one to two additional minutes. Thus, the response time to project internal residential areas would exceed the Fire Department's four-minute goal, representing a significant environmental impact.²

The Fire Department has also expressed the concern that the entry gate on Dunsmuir Heights Road, the primary access to the site, could significantly delay emergency response to the project, exacerbating response time concerns and creating an additional significant adverse impact.

(4) Emergency-Only Access Road Operational Impacts. The locked-gate, emergency-only access road, connecting the Cranford Way cul-de-sac in the Sheffield Village neighborhood to project streets in the South Subarea, is intended to provide alternative emergency access to the site. However, the city's Fire Protection Engineer states that this emergency service access connection as currently designed may not be adequate during emergency situations due primarily to the circuitous access through Sheffield Village to the Cranford cul-de-sac, and the steep, windy nature of the access route itself. This inadequacy would represent a significant adverse impact. Response time would be further delayed if the gate did not comply with department policy regarding acceptable emergency vehicle access provisions.

(5) Fault-Related Fire Access Impacts. Since a portion of the project entry road and a portion of the emergency-only access route are both within the Hayward Fault Special Studies Zone, emergency access to project residences via both routes could be disrupted in the event of a major fault rupture on this segment of the Hayward Fault. This access disruption potential constitutes a significant environmental impact.

¹The 1988 Draft EIR estimated that the project would generate the need for one additional fire fighter, based on a fire fighter per city resident ratio.

²Various existing upland neighborhoods in Oakland are subject to response time deficiencies.

(6) Emergency-Only Access Road Maintenance Impacts. Use of the emergency access road may also be limited by inadequate maintenance of the roadway and gate. Such maintenance deficiencies could represent a significant environmental impact.

(7) Emergency Egress Impacts. In the event of a fire (or another emergency) residents attempting to leave the site could be constrained by limited means of egress. The applicant proposes the emergency-only access road gate would remain locked for both entry and exit. The applicant also states that if required, the applicant would be willing to equip the gate with an exit-on-demand feature. If an inadequate exit-on-demand device were provided, failure or limitations on egress in an emergency situation would constitute a significant adverse impact.

(8) Inadequate Fire Hydrant Impacts. The Oakland Fire Prevention Bureau has expressed concern regarding the adequacy of fire hydrants on the project site. The applicant has prepared a tentative fire hydrant location map. The city's Fire Protection Engineer has expressed concern that the fire hydrant placement indicated on this map is not adequate.¹ If project fire hydrant provisions were inadequate, the effect on fire fighting abilities would be considered a significant adverse impact.

(9) Internal Cul-de-Sac Fire Access Impacts. The City of Oakland Subdivision Ordinance requires that cul-de-sacs be limited to 300 feet or less in length. The applicant is applying for a PUD permit that would allow for variations from the city's development standards. The proposed project site plan indicates that one of these variations would be a number of internal cul-de-sac streets that are more than 300 feet in length. The Fire Department has expressed a concern that these longer cul-de-sacs would limit access to homes for firefighting purposes (could be blocked during emergency situations, etc.).² Potential fire equipment access limitations on these long cul-de-sacs (in excess of 300 feet) would represent a significant environmental impact.

c. Mitigation Measures

Unless stated otherwise, all mitigation measures described below are not included in the project and are not proposed by the project proponent. Unless stated otherwise, the project sponsor is responsible for implementing the listed mitigation measures.

(1) Fire Hazard Impacts. Abate potentials for damage to project residential areas from surrounding wildfire through implementation of the following measures.

¹James Art, Fire Protection Engineer, Oakland Fire Prevention Bureau, personal communication, June 1, 1988.

²Art.

- r ■ Establish adequate emergency vehicle access to permanent open space areas.
(Project sponsor responsibility)
- r ■ Provide a system of fuel breaks between the wooded areas and the houses (i.e., fuel modification zones where the volume and spacial arrangement of fuels is modified to retard the progress of an approaching fire). Remove sage scrub (high volume fuel) within the fuel break areas and replace with native perennial grassland (lower volume fuel and higher biotic value). Replace any vegetation removed for fuel breaks with a species of equal or higher biotic value. (Project sponsor responsibility)
- r ■ Formulate an ongoing vegetative fuel management plan (periodic weed abatement and brush removal) and implement it through the project homeowners association. (Project sponsor and homeowners association responsibility)
- r ■ Use low-fuel native, drought tolerant species in the project landscape program. Balance water conservation, fuel load limitation, visual screening, and habitat enhancement needs in choosing plant species for the project landscape program.
(Project sponsor responsibility)
- r ■ Provide stipulations (deed restrictions, etc.) regarding minimum clearances around project structures that should be kept free of highly flammable vegetation. (Project sponsor responsibility)
- r Implementation of these mitigation measures by the project sponsor and homeowners association would reduce project wildfire hazard impacts to a less than significant level.
(These measures are proposed by the project sponsor.)

(2) Project-Generated Service Demand Impacts. In order to reduce project-generated fire-protection service demand impacts to a less than significant level, implement the following measures:

(2a) Increase Staff. Add two additional firefighters over a five-year period and grant a proportional increase in the Fire Department operations and maintenance budget. (City responsibility)

(2b) Fire Flow Requirements. Require the project water supply system to provide a minimum fire flow rate of 2,500 gallons per minute from not more than two hydrants simultaneously while maintaining 20 pounds of residual pressure in the main.

(2c) Submit Unit Address Specifications. Submit drawings specifying the size and location of all unit addresses to the Fire Chief.

(2d) Visible Unit Addresses. Provide addresses for all dwelling units that are clearly visible from the street, particularly in the townhouse clusters.

emergency access impacts to less than significant levels. Section V.D.2 through 6 of this EIR describes possible alignments for such a connection, related impacts on local traffic and the golf course, and associated additional mitigation needs. Implementation of one of the following alternative additional measures would reduce Fire Department response time impacts to less than significant levels.

(3a) Reopen and Restaff Fire Station No. 17. Reopen and restaff Fire Station No. 17, located on Grass Valley Road above Golf Links. With the added emergency access or through-collector connection to Golf Links Road, which is mitigation (2a) above, project fire emergency response times would be reduced to insignificant levels. However, the city has determined in the recent past that, given its post-Proposition 13 budget constraints, the fire response time impacts to upland neighborhoods of closing Station No. 17 are acceptable. (City responsibility)

(3b) Offset Fire Response Time Deficiencies. As an alternative to reopening Station No. 17, implement all of the following measures: (1) install Fire Department-approved automatic residential sprinkler systems and other built-in protection (e.g., heat/smoke alarms) in all project homes; (2) in addition to standard Uniform Building Code measures for fire protection, incorporate fire-resistant building materials and fire retardant roofing materials in the construction of all project homes; and (3) install Fire Department-approved, electronically monitored, fire alarm boxes at key locations throughout the project.

Measure (3a) may eliminate emergency response time impacts, but may not be economically feasible. Measure (3a) would also result in noticeable, but less than significant intermittent noise and traffic flow impacts on the local roadway system. With measure (3b), incorporation of the recommended fire suppression measures, the response time deficiencies would be offset to less than significant levels.

The Oakland Fire Department has also suggested that the possibility of building a new fire station onsite be considered. This alternative is not recommended, however, given the feasibility disadvantages of dedicating a new site and construction of a new station on the project site, versus reopening the existing nearby facility (Station No. 17) on Grass Valley Road. A station onsite would provide a service capacity that would exceed the needs of the project alone, and the onsite location would not be highly accessible to other adjacent neighborhoods.

(4) Emergency-Only Access Road Operational Impacts. Mitigation measure (2) identified earlier in this chapter under Police Services (added northeast connection, unrestricted entry, and department approval) is also necessary to mitigate Fire Department emergency access impacts to less than significant levels.

(5) Fault-Related Fire Access Impacts. Mitigations (3) and (4) above create a northeast emergency access connection to the site outside of the Hayward Fault SSZ, reducing this impact to a less than significant level.

(6) Emergency-Only Access Road Maintenance Impacts. To ensure unimpeded access for fire department vehicles along the emergency service access road, submit a maintenance plan with specified implementation responsibilities to the Fire Department that, to the satisfaction of the Department, would ensure regular, periodic maintenance of the access road. This measure would reduce access road maintenance impacts to less than significant levels.

(7) Emergency Egress Impacts. In order to improve the ability for residents to exit the site during a fire (or other emergency) equip both the primary and emergency-only gates with a Fire Department approved exit-on-demand device. In combination with the added northeast connection described under measure (3) above, emergency egress impacts would be reduced to less than significant levels.

(8) Inadequate Fire Hydrant Impacts. In order to eliminate project fire hydrant inadequacy impacts, revise the project fire hydrant location plan and submit to the Oakland Fire Department for review and approval. In general, the Fire Department states that fire hydrants should be placed at the following locations¹:

- The inside corners of intersections;
- Within 100 feet of cul-de-sac ends; and
- Within 300 feet from the most remote corner of multi-family buildings.

In addition, install fire hydrants along the project hillside entry road.

(9) Internal Cul-de-Sac Emergency Access Impacts. Modify the project site plan to provide alternative access to cul-de-sacs. Prepare a map for the Fire Department that identifies all cul-de-sacs that are more than 300 feet long and, through the PUD process, work with the Fire Department to formulate a plan that provides acceptable emergency access to all homes located on these cul-de-sacs. Alternatively, the project could be modified to reduce the lengths of the cul-de-sacs so that they are no more than 300 feet in length.

d. Project Relationship to Adopted Plans

The Oakland Policy Plan contains policies relevant to project fire hazard potentials including the following:

¹James Art, Fire Protection Engineer, Oakland Fire Prevention Bureau, personal communication, June 1, 1988.

- The city will continue the Fire Department's fire prevention program, including the inspection of existing buildings and the review of proposed development to ensure maximum safety from potential fire hazards (Oakland Policy Plan, p. K-2).
- Programs should be developed to continue the reduction of fire hazards in the city's hill areas through vegetative management, incorporating considerations for the appearance of the hills as an integral part of these programs (Oakland Policy Plan, p. K-2).

Incorporation of those fire protection mitigation measures identified by the city's Fire Protection Bureau and listed in section c above, including use of fire retardant materials for building exteriors and roofing, installation of residential standard fire sprinklers, adequate building setbacks from fire-prone vegetation, and a vegetative fuel management program, along with provision of city-approved emergency access modifications, would achieve project consistency with these city fire hazard policies.

3. WATER SUPPLY

a. Setting

(1) Existing Supply and Distribution System. The East Bay Municipal Utility District (EBMUD) provides water service within the city boundary from sources in the Sierra Nevada foothills, including Pardee Dam located northeast of Stockton.

r The existing water distribution system in the project vicinity is divided into four pressure
r zones: the Country Club, Peralta, Piedmont, and Bayfair zones. EBMUD would provide
r service from the Country Club and Peralta zones or the Country Club, Peralta and Bayfair
r zones. The Country Club Zone provides water to service elevations varying from 500 to
r 700 feet. The Peralta Zone provides water to service elevations varying from 385 to 585
feet. The Bayfair Zone provides water to service elevations varying from 300 to 500 feet.¹

r Water service in the Peralta Zone is currently deficient due to inadequate storage capacity.²
Water within the Peralta zone is supplied from the 1.0 mg Peralta Tank No. 1 located
immediately east of the project site. This tank also currently supplies irrigation water for the
Lake Chabot Municipal Golf Course.

r ¹Alan Thompson, Associate Civil Engineer, East Bay Municipal Utility District, personal
r communication, April 5, 1988 and Dennis L. Allen, Chief Engineer, East Bay Municipal Utilities
District, written communication, February 22, 1991.

²East Bay Municipal Utility District, Water Distribution Facilities--Oakland Hills Area Final EIR,
January 1988.

r EBMUD has a program to develop and promote uses for reclaimed wastewater and
r alternative water supplies to produce the long-term benefit of reducing the demand for
r potable water. To eliminate existing water storage and related service deficiencies in the
r Peralta Zone, EBMUD plans to construct alternative golf course irrigation system facilities in
order to use approximately 150 acre feet per year of water from Lake Chabot, rather than
the Peralta Zone, to irrigate the golf course. It is expected that the city will begin using the
r lake water for golf course irrigation by July of 1991.¹ Prior to this plan, EBMUD had
intended to add a second reservoir at the Peralta Reservoir site to provide for identified
additional water storage needs in the Peralta Zone for the golf course and for 350 existing
homes in Chabot Park Highlands.²

According to EBMUD, use of Lake Chabot water to irrigate the golf course will eliminate
existing water service deficiencies in the Peralta Zone without affecting the District's drought
water supply. Lake Chabot was used to augment EBMUD's water supply during the
r drought period in December 1976 through September 1977 when the filtration plant was
taken out of service. The lake is no longer connected to any filtration facilities and is
substantially smaller than the other four reservoirs in the District that are reserved for
drought period water supply (e.g., the Upper San Leandro Reservoir is ten times the size of
r Lake Chabot). The primary purpose of the lake is recreation. Future use of this lake and
r reactivation of the filtration plant for water supply is strictly limited to extreme emergency
conditions.³ EBMUD indicates that the use of 150 acre feet per year for the golf course will
not adversely affect Lake Chabot because the lake is filled with about 3,000 acre feet of
r runoff annually and there is excess water that flows from the lake over the spillway.⁴

(2) Existing EBMUD Easements. As mentioned in the Project Description, EBMUD has a
number of existing easements that traverse the site, including water line and access
r easements. (Please refer to Figure B-1 in Appendix B of this EIR for a comprehensive map
of all EBMUD ownership and easements on and around the project site).

r ¹Richard Sykes, Senior Civil Engineer, EBMUD, personal communication October 19, 1990. The
r Oakland City Council authorized the plans to construct the irrigation system facilities on May 22,
r 1990 (Resolution No. 67135).

²Letter from Jerome B. Gilbert, General Manager, East Bay Municipal Utilities District, to Jerry L.
Belden, President, Chabot Park Highlands Association, June 29, 1990.

r ³Letter from Dennis Allen, Chief Engineer, East Bay Municipal Utilities District, to Charles Bryant,
r Environmental Review Coordinator, City of Oakland, February 22, 1991.

r ⁴Gilbert.

b. Project Impacts

(1) Water Distribution System Impacts. There are no existing water distribution facilities available at the site edges to serve the project directly. Provision of adequate water service to meet the domestic and fire flow needs of the proposed development would require substantial onsite and offsite water line improvements.

Country Club Zone Water Main Extension. Approximately 80 percent of the project homes (406 units) are proposed for locations above the 500 foot elevation and, thus, would be served by the Country Club Zone. It appears at this point that a 16-inch water main extension would have to be installed to connect the project to the 1.0 million gallon (mg) May Reservoir on Skyline Boulevard, approximately 1.3 miles to the northeast. (These improvement need and related cost estimates are preliminary. The actual cost, sizes, and location of any pipeline improvements, relocations, or extensions, would be determined by EBMUD when water service is formally requested.)

Peralta Zone Water Main Extension. Approximately 20 percent of the project homes (101 units) are proposed below the 500-foot contour and would thus be served by either the Peralta Zone or the Peralta and Piedmont zones.

The project would add 40 homes to the Peralta Pressure Zone, which could be adequately served by the existing water supply in that zone (i.e., no significant adverse impact would be anticipated), assuming the golf course will now be irrigated with water from Lake Chabot.¹ To provide this service to project residences, a 12-inch water main extension is proposed by the applicant to connect the project to the Peralta Tank.

Other Improvements. In addition to the water main extensions described above, development of the site would require the installation of water mains, service laterals, meters, and fire hydrants within the development. The applicant would be required by EBMUD to pay for all offsite water main extensions and all onsite water facility installations (e.g., service laterals, meters, and hydrants).

(2) Water Consumption Impacts. EBMUD currently applies a consumption rate of approximately 400 gallons per dwelling unit per day in computing overall (domestic and landscape irrigation) residential water demands. On that basis, the 507-unit project would increase local water demands by up to 202,800 gallons per day (gpd). After the Lake Chabot Golf Course begins using water from Lake Chabot for irrigation, EBMUD does not anticipate any difficulties in meeting this added demand. Moreover, the current EBMUD facilities expansion planning program has assumed development of the site in their future demand projections.

Because water service in any pressure zone that would serve this project is subject to an Elevation Surcharge, the additional cost for pumping water to the project would be paid for by future project residents, and would not be a burden to existing rate-payers.²

¹Letter from Jerome B. Gilbert, General Manager, East Bay Municipal Utilities District, to Jerry L. Belden, President, Chabot Park Highlands Association, June 29, 1990.

²C. T. Way, Chief Engineer, East Bay Municipal Utility District, written communication, February 1989.

- r In addition, EBMUD guidelines for water use during water shortages encourage applicants
r for new water service connections to agree to landscaping restrictions.

The project water consumption would constitute a less than significant impact.

- (3) Offsite Water Line Construction Impacts. As described above, the project would require pipeline improvements to extend service from May reservoir in the Country Club Water
r Pressure Zone to the site. According to EBMUD, three alternative alignments for the
r extension route have been considered, including (a) through existing residential streets in
r Chabot Park Highlands, (b) through existing residential streets in Chabot Park Estates and
r Lake Chabot Golf Course, and (c) along Skyline Boulevard through the Lake Chabot Golf
r Course. No decision has been made by EBMUD with respect to which alignment would be
r more likely.¹ The comparable construction period impacts versus the long-term benefits of
each alignment are as follows:

- Alignment Through Lake Chabot Golf Course.* To extend a new water line from May
r Reservoir through the golf course to the project could have varying impacts on golf course
r playability which would depend upon the final water line route selected. The extension
r through portions of the golf course would degrade portions of the course from the operation
of heavy equipment on the golf course paths, fairways and greens of one or two holes. On
r the other hand, this construction alignment would not be as disruptive to local residents as
r the two other alignments, and would provide a new link to the reservoir that would be of
long-term advantage to the area if the other water line serving Chabot Park Highlands were
r damaged. This alignment would also be shorter than a line through Chabot Park
r Highlands.² EBMUD has also indicated that some of the work on the golf course could be
r performed at night to minimize disruption of golf course operations in areas of the golf
r course that are far enough from residents so that nearby residents would not be disturbed.

Alignment Through Lake Chabot Highlands. To extend water service to the project through Chabot Park Highlands, existing water lines located under public and private streets in the neighborhood would have to be replaced and upgraded to serve the project. Such water line reconstruction in the neighborhood would take an estimated three to four months. A long-term benefit of this plan would be improved fire flow capabilities for Chabot Park Highlands. On the other hand, its construction would require more street excavation and would take a longer period of time than the golf course alignment. The construction period traffic and noise impacts would also be more disruptive to residents in the vicinity than the

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- r ¹Bill McGowan, Associate Civil Engineer, Water Service Planning, East Bay Municipal Utility
r District, personal communication, October 25, 1990, and Dennis L. Allen, Chief Engineer, East Bay
r Municipal Utility District, letter of February 22, 1991.

²McGowan.

other alignment. Some Chabot Park Highlands residents have already voiced opposition to this alignment to EBMUD.¹

r *Alignment Through Chabot Park Estates.* To extend water service to the project through
r Chabot Park Estates (Grass Valley to Glen Manor, to Sun Valley to Golf Links Road),
r existing lines located under the streets would have to be replaced and upgraded to serve
r the project. Such water line reconstruction could take a couple of months. The
r construction period traffic and noise impacts would be disruptive to residents but less so
r than the alignment through Chabot Park Highlands.

r Each of these water line alignment alternatives would result in temporary offsite traffic
disruptions and noise impacts. Similar impacts would also be experienced by project
residents as latter phases of the project are developed. Although these offsite and onsite
construction period noise and traffic disruptions would be unavoidable, these impacts would
be considered less than significant due to the short-term, temporary nature of utility line
construction, and the assurance that normal EBMUD construction period mitigation
standards would be followed, such as generally restricting hours of operation to weekdays
from 7:30 AM to 4:30 PM, requiring an inspector to be present, and requiring flag persons
when traffic control is necessary.²

If the golf course was not fully restored to its pre-construction state, the long-term effects of water line construction on the golf course would be considered a *significant adverse impact*.

(4) Onsite Water Line Construction Impacts. Water line construction in steep hillside areas could result in significant temporary erosion and sedimentation impacts.

(5) Potential Utility Line Geotechnical Damage Impacts. As discussed in the Geotechnical Factors section of this EIR (IV.D), water lines that are constructed through steep hillside or deep fill areas, across the active Hayward fault zone, or across areas of weak bedrock or possible additional faults, would be subject to significant damage in the event of a major earthquake or severe storm, unless proper engineering mitigation measures were incorporated. Such damage could constitute a significant adverse impact.

(6) Fire Flow Impacts. The project would create a need for adequate water flow to provide firefighting needs. If standard fire flow needs were not provided, lack of such flow would constitute a significant adverse impact.

¹Bill McGowan, Associate Civil Engineer, Water Service Planning, East Bay Municipal Utilities District, personal communication, October 25, 1990.

²McGowan.

(7) EBMUD Easement Impacts. The project would require relocation or abandonment of existing onsite EBMUD water line and access easements. The project applicant and EBMUD have reached a tentative agreement involving existing onsite District water line easements. These existing easements would be relocated into project streets and existing water lines would be relocated at applicant cost. The project applicant and EBMUD have also reached a tentative agreement regarding a permanent access easement to the Peralta Reservoir (water tank) site. The proposed relocation of these easements would be expected to constitute a less than significant impact.

c. Mitigation Measures

Unless stated otherwise, all mitigation measures identified below are not included in the project and are not proposed by the project proponent. Unless stated otherwise, the project sponsor is responsible for implementing the mitigation measures listed below.

(1) Water Distribution System Impacts. No significant adverse impacts have been identified; no mitigation is required.

(2) Water Consumption Impacts. Water consumption impacts would be less than
r significant. However, the applicant would be encouraged to comply with landscaping
r restriction guidelines, and the project residents would be expected to comply with District-
wide water consumption reduction programs in drought emergency periods.

Incorporate voluntary water conservation measures into the design of the project domestic and landscape irrigation water systems (individual and common) to reduce impacts on EBMUD's water supply. EBMUD encourages the use of equipment, devices, and methodologies for plumbing fixtures and irrigation that will provide for long-term efficient water use. EBMUD also encourages use of inert landscaping materials, and limiting the area of turf. Meet with EBMUD conservation staff to obtain advice on conservation measures related to water service and landscaping.

(3) Offsite Water Line Construction Impacts. The following measures would reduce impacts to a less than significant level:

r *(3a) Golf Course Alignment Alternative.* If the golf course alignment alternative is
r chosen, minimize disruption of play through creation and use of temporary greens
r (similar to what current exists on hole #5) and other water line alignment design
r features prepared in coordination with the Oakland Office of Parks and Recreation.
r Design an alignment which follows a combination of some streets and portions of the
r golf course in order to minimize impacts on the golf course.

r *(3b) Restore Golf Course.* If the golf course alignment is chosen, fully restore the golf
course paths, fairways, greens, and tees to their pre-construction state.

r *(3c) Limit Hours of Construction.* EBMUD construction standards usually limit
construction to weekdays between the hours of 7:30 AM and 4:30 PM. Implement this
r mitigation measure for any water line alignment choice to ensure that water line
construction hours are limited in order to minimize noise impacts.

(4) Onsite Water Line Construction Erosion Impacts. Implementation of all of the following measures would reduce onsite waterline construction erosion impacts to less than significant levels:

- Stage water line construction to ensure that a minimum amount of soil remains bare.
- Revegetate disturbed land immediately after construction to improve stability.

(5) Utility Line Damage Impacts. Implementation of measures included in the Geotechnical Factors section of this EIR would mitigate fault-rupture-related impacts on project water lines.

(6) Fire Flow Impacts. Design the project water system to provide a minimum fire flow rate of 2,500 gallons per minute from not more than two hydrants simultaneously while maintaining 20 pounds of residual pressure in the main. Consult with EBMUD and the Oakland Fire Department to determine the precise fire flow demands of the 507-unit project. The applicant would be responsible for offsite system improvements necessary to provide the required fire flow.

(7) EBMUD Easement Impacts. As stated in the impact discussion above, the project's impact on EBMUD easements would be expected to be less than significant, provided that the applicant would submit project site plans to EBMUD for review and approval to ensure that potential impacts are avoided. Such site plans are to clearly show proposed relocations of EBMUD water line and access easements.

d. Project Relationship to Adopted Plans

The Oakland Policy Plan contains the following applicable policy:

- *The city will work closely with the East Bay Municipal Utility District to ensure that the nature and capacity of new water service in the hills are kept in reasonable scale with the types and densities of land use which the city plans there. (Oakland Policy Plan, p. H-5)*

The water service requirements of the proposed project have been anticipated by EBMUD in their distribution facilities planning for the Oakland hills.¹ In addition, the city and EBMUD have discussed the growth inducement implications of water supply capacity increases in the hills. In the project vicinity, there are no other identified major developable sites in Oakland besides the Dunsmuir Heights site. There are two identified nearby residential sites in San Leandro (the abandoned San Leandro Rock Company quarry and the Fairmount Hills Specific Plan area). Service to these two sites would not significantly affect the water zones serving the project.

Although there are remaining open space lands in the local area, the majority of these lands are reserved by EBMUD as watershed areas. EBMUD does not anticipate any development occurring on these watershed lands, nor does the District foresee any land

¹Alan Thompson, Associate Civil Engineer, East Bay Municipal Utilities District, personal communication, April 5, 1988.

sales to non-governmental agencies.¹ Therefore, both the project and the District water distribution expansion program are consistent with city policy.

4. SEWER SERVICE

a. Setting

Sanitary sewer service is provided within Oakland by the city Office of Public Works and EBMUD via a gravity flow collection system flowing to a wastewater treatment plant located adjacent to the Oakland Army Base. The plant currently has a rated secondary treatment capacity to provide primary treatment for up to 290 million gallons per day (mgd) and secondary treatment for up to 168 mgd.² The average flow to this plant is approximately 90 mgd.³

For sewer collection system purposes, the City of Oakland owns and maintains a sanitary sewer system that ties into EBMUD interceptor pipes, which in turn lead to the district's wastewater treatment plant. In the project vicinity, city sanitary sewer lines tie into the District's 60-inch South Interceptor,⁴ which has a capacity of approximately 150 mgd. This is the estimated flow contribution from the South Interceptor to the plant's primary treatment capacity of 290 mgd.

b. Project Impacts

The proposed project connection to the city's sewage collection system would be provided via connections to existing sewer lines in Foothill Way and Cranford Way. Preliminary investigation of the existing sewer mains in Foothill Way and Cranford Way (8" diameter lines) indicate that the two lines have adequate capacity to serve the added project units.⁵ This capacity finding would have to be confirmed by the City's Office of Public Works prior to project approval. The applicant would pay for the cost of sewer line extensions from

¹Alan Thompson, Associate Civil Engineer, East Bay Municipal Utilities District, personal communication, April 5, 1988.

²C. T. Way, Chief Engineer, East Bay Municipal Utility District, written communication, February 1989.

³East Bay Municipal Utility District, All About EBMUD, 1988.

⁴Jimi Yoloye, Assistant Civil Engineer, East Bay Municipal Utility District, personal communication, September 28, 1988.

⁵Ray Bold, Project Civil Engineer, August 29, 1991.

- r Foothill Way and Cranford Way to serve the development. These extensions would be subject to city sewer specifications and city approval. In addition to costs for city sewer connections, the applicant would be required to pay standard EBMUD sewer use fees, including the District's one-time wastewater capacity fee. The wastewater capacity fee is
- r based on the capacity required to provide treatment to the estimated wastewater flow.¹

r ¹Charles Evans, Manager, Customer Service, East Bay Municipal Utility District, personal communication, September 28, 1988.

(1) Project Wastewater Generation Impacts. At full occupancy, the project would generate up to 111,540 gallons or 0.11 million gallons of wastewater discharge per day, based on an assumed rate of 220 gallons per day per dwelling unit.¹ This added demand would represent approximately 0.066 percent of the District treatment plant's 167 million gallon per day capacity. Therefore, although the wastewater generated by the new development would contribute to cumulative wastewater treatment demands, project-generated wastewater is not expected to significantly affect system capacity or service. Therefore, project wastewater generation impacts would be less than significant.

(2) Earthquake-Related Sewer Line Impacts. As discussed in the Geotechnical Factors section of this EIR, sewer lines that are constructed through steep hillside or deep fill areas, or across the active Hayward fault zone, or across areas of weak bedrock or possible additional faulting, would be subject to significant damage in the event of a major earthquake or severe storm, unless proper engineering measures were included in the system design. Such damage could constitute a significant adverse impact.

(3) Offsite Sewer Line Construction Impacts. Extensions of existing offsite sewer lines to serve the project would be expected to occur along Foothill Way. In addition, connection to the existing sewer line stub at Cranford Way will be necessary. Sewer line construction on Foothill Way would be expected to occur concurrently with completion of the Peralta Oaks Drive-Foothill Way extension. Related construction period noise and traffic delay impacts of the extension are discussed in the transportation chapter of this EIR (see section IV.C.2). Sewer line connection to Cranford Way would require ditch construction to the nearest man hole, located roughly 60 feet from the project boundary.

Significant temporary traffic and noise impacts would occur during construction of the Peralta Oaks-Foothill Way extension. Minor temporary traffic, and significant temporary noise impacts, would also occur for the Cranford Way connection.

(4) Onsite Sewer Line Construction Impacts. Much of the project site is steep, and the soil has a moderate to high erosion potential. Sewer line construction in steep hillside areas could result in significant temporary erosion and sedimentation impacts.

c. Mitigation Measures

Unless stated otherwise, all mitigation measures identified below are not included in the project and are not proposed by the project proponent. Unless stated otherwise, the project sponsor is responsible for implementing the mitigation measures listed below.

¹Ken Wong, Supervising Engineer, Oakland Office of Public Works, personal communication, September 28, 1988.

- r (1) Project Sewer Connections. Confirm the adequacy of existing sewer line capacities at
- r Foothill Way and Cranford Way with the Oakland Office of Public Works prior to Final Map
- r approval.

- r (2) Project Wastewater Generation Impacts. No significant impacts have been identified;
- no mitigation is required.

- r (3) Earthquake-Related Sewer Line Impacts. Measures in the Geotechnical Factors
- section of this EIR would mitigate fault-rupture-related impacts on project sewer lines.

- r (4) Offsite Sewer Line Construction Impacts. Mitigation measures described in section IV.C.3 of this EIR for the Peralta Oaks Drive-Foothill Way extension construction would also reduce offsite sewer line construction impacts. Nevertheless, the combined roadway-sewer construction program impacts would still be expected to have unavoidable significant traffic and noise impacts during the anticipated three- to six-month extension construction period.
- r (5) Onsite Sewer Line Construction Impacts. Implement the following measures to eliminate or reduce erosion impacts to a less than significant level:
- Stage sewer line construction to ensure that a minimum amount of soil remains bare.
 - Revegetate disturbed land immediately after construction to improve stability.
 - Implement retaining walls as warranted to stabilize slopes.
 - Wherever possible, locate main services in project access roads.

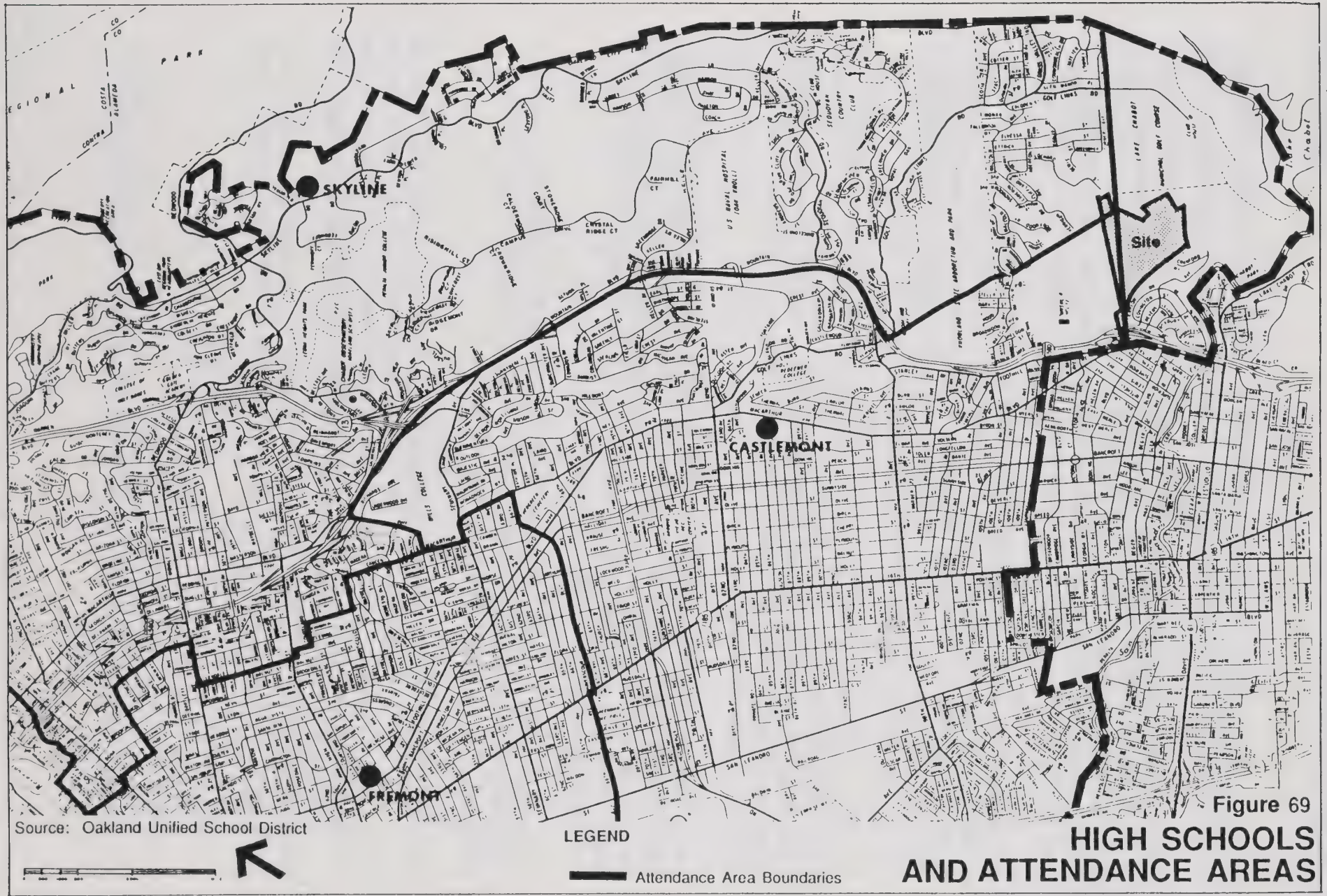
5. PUBLIC SCHOOLS

a. Setting

(1) Schools Within the Project Site Attendance Area. The project site is located within Oakland Unified School District No. 7. District No. 7 provides educational services to the project area for grades K-6 through its elementary schools, and for grades 7-12 through its secondary (junior high and senior high) schools. Designated elementary, junior high school, and high school *attendance areas* in the project site's southeast Oakland vicinity are mapped on Figures 67, 68, and 69. Elementary students in the area of the project site are assigned to Marshall Elementary School or Grass Valley Elementary School. Junior high school students are assigned to King Estates Junior High School. Senior high school students attend either Skyline High School or Castlemont High School. The following discussion identifies the location, driving distance from the project site,¹ and enrollment conditions for each of these schools.

- r *Marshall Elementary School (K-6)*. Marshall Elementary School is located at 3400 Malcolm Avenue, approximately 1.3 miles driving distance from the entrance to the project site (see Figure 67). As shown in Table 27, Marshall Elementary School has an existing capacity for 330 students. The 1989-1990 enrollment was estimated at 296 students, indicating that

¹All mileages are approximate and are measured from the beginning of the proposed project access road.



r there was capacity for approximately 34 more students.¹ There are no portable classrooms
at this school.

Grass Valley Elementary School (K-6). Grass Valley Elementary School is located at 4720
Dunkirk Avenue, approximately 2.8 miles from the site (see Figure 67). As shown in Table
r 27, Grass Valley Elementary School has an existing capacity for 300 students. The 1989
r 1990 enrollment was estimated at 244 students, indicating that there was capacity for
r approximately 56 additional students.² There is one portable classroom at this school.

King Estates Junior High School (7-9). King Estates Junior High School located at 8251
Fontaine Street, approximately 2.5 miles from the site (see Figure 68). As shown in Table
27, King Estates Junior High School has capacity for approximately 744 students. The
r 1989-1990 enrollment was estimated at 607 students, indicating that there was capacity for
r 137 more students.³ There are seven portable classrooms at this school.

Castlemont High School (9-12). Castlemont High School is located at 8601 MacArthur
Boulevard, approximately 2.4 miles from the site (see Figure 69). As shown in Table 27,
r Castlemont High School has capacity for 2,073 students. The 1989-1990 enrollment was
r estimated at 1,313 students, indicating that there was capacity for 760 more students.⁴ This
school has 18 portable classrooms.

Skyline High School (10-12). Under the district's open enrollment policy for high schools,
space for high school students in the project area at Skyline High School would be made
available on an optional basis if and when there is excess capacity after all students in the
Skyline attendance area have enrolled. Skyline High School is located at 12230 Skyline
Boulevard, approximately 6.8 miles from the site (see Figure 69).

r As shown in Table 27, Skyline High School has capacity for 2,121 students. The 1989-
r 1990 enrollment was estimated at 1,914 students, indicating that there was room for 207
students.⁵ This school has 28 portable classrooms.

r ¹Oakland Unified School District, Department of Research and Evaluation, School District
Information Summary 1989-1990.

²Ibid.

³Ibid.

⁴Ibid.

⁵Ibid.

Table 27

EXISTING OAKLAND SCHOOL DISTRICT CAPACITY AND PROJECT IMPACTS

		1989-1990	Existing	Existing	Project-	Excess
	School	Enrollment	Capacity	Portable	Generated	Capacity
				Classrooms*	Students	
	Elementary:					
r	Marshall	296	330	0		
r	Grass Valley	244	300	1		
r	<i>SUBTOTAL</i>	<i>540</i>	<i>630</i>	<i>1</i>	<i>203</i>	<i>-113</i>
	Junior High:					
r	King Estates	607	744	7		
r	<i>SUBTOTAL</i>	<i>607</i>	<i>744</i>	<i>7</i>	<i>51</i>	<i>86</i>
	High School:					
r	Castlemont	1,313	2,073	18		
r	Skyline	1,914	2,121	28		
r	<i>SUBTOTAL</i>	<i>3,227</i>	<i>4,194</i>	<i>46</i>	<i>101</i>	<i>866</i>
r	DISTRICT TOTAL	4,374	5,568	54	355	839

*This space is included in existing capacity figures.

SOURCE: Wagstaff and Associates, October 1988; based on data supplied by the Oakland Unified School District for the 1989-1990 school year.

(2) Nearby Schools Outside the Project Site Attendance Area. There are several schools that are located close to the project site entry point, but are outside the project site attendance areas. The following discussion identifies the location, distance from the project site, and enrollment conditions of nearby schools outside the project site attendance areas.

Toler Heights Elementary School (K-3). Toler Heights Elementary School is located at 9736 Lawlor Street approximately 1.8 miles from the site.¹ This small, K-3 school has capacity

¹All mileage estimates are measures from the bottom of the project entry road.

r for 120 students. In the 1989-1990 school year there were 105 students enrolled, indicating
r that there was space for 15 more students.^{1 2}

Parker Elementary School (K-6). This school is located at 7929 Ney Avenue, approximately
r 2.9 miles from the site. The school has capacity for 609 students.³ In the 1989-1990
r school year there were 544 students enrolled, indicating that there was space for 65 more
students.⁴

Howard Elementary School (K-6). This school is located at 8755 Fontaine Street,
approximately 3.4 miles from the site. The school has capacity for 510 students.⁵ In the
r 1989-1990 school year, there were 406 students enrolled, indicating that there was space
r for 104 more students.⁶

Burckhalter Elementary School (K-6). This school is located at 3994 Burckhalter Drive,
approximately 3.6 miles from the site. The school has capacity for 345 students.⁷ In the
r 1989-1990 school year there were 249 students enrolled, indicating that there was room for
r 96 students.⁸

Frick Junior High School (7-9). This school is located at 2845 64th Avenue, approximately
r 3.8 miles from the site. The school has capacity for 840 students.⁹ In the 1989-1990
r school year there were 703 students, indicating that there was room for 137 more
r students.¹⁰

¹Oakland Unified School District, personal communication; March 1990.

r ²Oakland Unified School District, Department of Research and Evaluation, School District
Information Summary 1989-1990.

³Oakland Unified School District, personal communication; March 1990.

⁴Oakland Unified School District, personal communication; March 1990.

⁵Oakland Unified School District, personal communication, March 1990.

r ⁶Oakland Unified School District, Department of Research and Evaluation Information Summary,
1989-1990.

⁷Oakland Unified School District, personal communication, March 1990.

r ⁸Oakland Unified School District, Department of Research and Evaluation Information Summary,
1989-1990.

⁹Oakland Unified School District, personal communication, March 1990.

r ¹⁰Oakland Unified School District, Department of Research and Evaluation Information Summary,
1989-1990.

(3) District-wide Enrollment. District-wide enrollment during the 1988-1989 school year totaled 50,415 students. District-wide enrollment increased by 326 students to 50,741 in the 1989-1990 school year and decreased by 191 students to 50,550 students in the current 90-91 school year.¹ The district expects to add approximately 100 students per average year over the next two years.²

(4) Oakland Unified School District Bus Service. The District currently provides school bus service only for handicapped children. Bus service is provided on a contract basis by the Durham Bus Company.³

(5) School Access Considerations. Table 28 identifies driving distances from the entry area of the project site to each of the various nearby schools, including those within the designated project site attendance areas, as well as those which are also near the site, but outside of the designated attendance areas.

(6) Oakland School Impact Fees. At the present time, the Oakland School District does not collect school impact fees. However, because there are several portable classrooms being used at four of the nearby schools, these schools can be described as "impacted" and the school district may decide to impose school impact fees at some point in the future.⁴

b. Project Impacts

While this analysis addresses only public schools, it is likely that some project generated students would attend private schools. Because this analysis is based on all project students attending public schools, impacts may be slightly overstated.

(1) Project Enrollment Impacts on Schools in Project Attendance Area. The Oakland Unified School District does not use standard multipliers for projecting student generation from residential developments. Instead, projects are evaluated on a case-by-case basis, taking into account several factors, such as location, housing size, and price range. For conservative impact assessment purposes, this EIR analysis has applied enrollment

¹Joseph Adwere-Boamah, Director of Research and Evaluation, Oakland Unified School District, personal communication, October 26, 1990 and November 27, 1990.

²Oakland Unified School District, personal communication; March 1990.

³Oakland Unified School District, personal communication; March 1990.

⁴Richard Winefield, Assistant Superintendent, Oakland Unified School District, personal communication; May 31, 1988.

Table 28
DISTANCES FROM THE PROJECT TO PUBLIC SCHOOLS

<u>Schools Within Attendance Area</u>	<u>Location</u>	<u>Driving Distance¹</u>
Marshall Elementary (K-6)	3400 Malcolm Avenue	1.3
Grass Valley Elementary (K-6)	4720 Dunkirk Avenue	2.8
King Estates Junior High (7-9)	8251 Fontaine Street	3.8
Castlemont High (9-12)	8601 MacArthur Boulevard	2.4
Skyline High ² (10-12)	11250 Skyline Boulevard	6.8
 <u>Nearby Schools Outside of Attendance Area</u>		
Toler Heights Elementary (K-3)	9736 Lawlor Street	1.8
Parker Elementary (K-6)	7929 Ney Avenue	2.9
Howard Elementary (K-6)	8755 Fontaine Street	3.4
Burckhalter Elementary (K-6)	3994 Burckhalter Drive	3.6
Frick Junior High (7-9)	2845 64th Avenue	3.8

SOURCE: Wagstaff and Associates

¹ All mileages are approximate and are measured from the proposed project access road entry gate. Under the proposed single access road configuration, an additional approximately one-half mile should be added to these figures to determine the total driving distance.

² Skyline High School is not within the attendance area but would accept students through the magnet program.

multipliers currently used statewide by the State Board of Education to project future enrollments. These state enrollment multipliers may be high in comparison to actual enrollment characteristics in the Oakland hills area.¹ These state multipliers are used in this EIR since no readily available data for comparable new residential development in Oakland have been identified. Based on these state enrollment generation multipliers,² Table 27 indicates that the project could be expected to increase enrollment at these District No. 7 schools by approximately 203 elementary, 51 junior high, and 101 high school students.

Table 29 shows the estimated number of students generated by project phase, based on the state multipliers. The number would range from 66 to 76 additional students per year for each project phase.

Marshall and Grass Valley Elementary Schools. As shown in Table 27, Marshall and Grass Valley elementary schools could not accommodate all of the estimated 203 elementary students projected from the project, assuming little change in enrollment conditions between now and project absorption. There are an estimated 113 students that could not be accommodated under existing enrollment conditions. Such an enrollment capacity deficit would represent a significant enrollment impact.

Secondary Schools. Comparison of Figures in Tables 29 and 27 indicates that, under current enrollment conditions, project-generated junior high and high school students could be accommodated in the existing school facilities with no significant enrollment impact.

Although the Oakland School District has applied for state funding to construct new schools, receipt by the District of requested state funds before completion and full occupancy of all project phases cannot be assured.

¹Morgan Woollet and Associates, school planning consultants, recently prepared a report for the Milpitas Unified School District entitled Enrollment Projections 1990-1994 that includes a study of new residential construction student yield rates. Based on a sample of 1,354 new single-family dwellings with "usable" back and front yards (the housing stated to be most desirable for families), the total student yield was 54.5 students per 100 units. Based on a sample of 652 smaller single-family dwellings, the total student yield was 39.7 students per 100 units. Based on a sample of 813 individually owned townhomes and condominiums, the total yield was 21.4 students per 100 units.

Assuming that the new units in Milpitas are compatible to those proposed by the applicant, the project would be expected to generate approximately 157 additional students. This alternative estimate is based on the assumption that there would be 13 large single-family dwellings ($0.13 \times 54.5 = 7$), 244 regular single-family dwellings ($2.44 \times 39.7 = 97.1$), and 250 townhomes ($2.50 \times 21.4 = 53.5$).

²State enrollment factors are: 0.4 elementary school students/dwelling unit; 0.1 junior high school student/dwelling unit; 0.2 high school student/dwelling unit.

Table 29
PROJECT STUDENTS GENERATED BY PHASE

School	Phase 1 (99 Units)	Phase 2 (95 Units)	Phase 3 (107 Units)	Phase 4 (97 Units)	Phase 5 (109 Units)	Total (507 Units)
Elementary ¹	40	38	43	39	43	203
Junior High ²	10	9	11	10	11	51
High School ³	<u>20</u>	<u>19</u>	<u>21</u>	<u>19</u>	<u>22</u>	<u>101</u>
Total	70	66	75	68	76	355

SOURCE: Wagstaff and Associates, October 1990

¹ 0.4 students per dwelling unit

² 0.1 students per dwelling unit

³ 0.2 students per dwelling unit

(2) Project Enrollment Impacts on Nearby Schools Outside of the Attendance Area. Under the District's current attendance area policy, none of the project enrollment demands would be accommodated by nearby elementary schools outside the designated attendance areas, even though some of these schools may be closer and many currently have substantial additional enrollment capacity. Therefore, based on the assumption that the current attendance boundaries would not change, the project would have no impact on schools outside of the designated attendance areas, with the possible exception of Skyline High School, which students could attend through the magnet program.

(3) Project-Generated Cohort Group Impacts on King Estates Junior High. Assuming that current enrollment trends would remain generally unchanged, capacities at King Estates Junior High, Skyline High School, and Castlemont High School would not be exceeded with the addition of project-generated junior high and high school enrollment increases. However, the District indicates that student enrollment at King Estates Junior High could increase in the next few years as cohort groups, i.e., population groups of similar age, move through the school system as currently anticipated. Eventually, cumulative junior high school enrollment increases could cause significant overcrowding at King Estates Junior High. The project would contribute to this *significant, cumulative impact*.

(4) School Access Impacts. The proposed Peralta Oaks-Foothill Way extension component of the project would have a beneficial effect on project school access needs, significantly improving project vehicular connections to all four affected Oakland Unified School District schools. Travel distances to the schools would be reduced by approximately one-third of a mile with the new roadway connection. Nevertheless, the location of the four affected schools in terms of existing local road layouts, travel distances, and terrain, in combination with the added travel distance and hillside roadway gradients associated with the project access road, would preclude safe, convenient pedestrian access to the affected schools.

With the Peralta Oaks Drive-Foothill Way extension, driving distance via Dunsmuir Heights Road to Marshall School would be approximately 1.0 mile from the nearest project residential area (distance is less than indicated in Table 28, due to the new roadway extension), Grass Valley School 2.8 miles, King Estates Junior High School 3.1 miles, Castlemont High School 2.1 miles, and Skyline High School 6.5 miles.

Because bus service is currently provided only to handicapped students, all other elementary school students from the project would presumably be driven to and from Marshall and Grass Valley Schools, or special bus service provisions would be necessary. Similarly, most King Estates Junior High School and Skyline High School students from the project would presumably be transported by car to and from these two schools or the AC Transit bus stop at the foot of Dunsmuir Heights Road (assuming that existing transit lines serving these two schools could be rerouted to the Peralta Oaks Drive-Foothill Way extension).

These travel distances, in combination with the steep gradients of the project access road and the other roadway components involved, would preclude safe and convenient pedestrian access to each of the four affected schools. These safety concerns, although common in the Oakland hills, would represent a *significant adverse impact*.

c. Mitigation Measures

Unless stated otherwise, all mitigation measures identified below are not included in the project and are not proposed by the project proponent. Unless stated otherwise, the project sponsor is responsible for implementing the mitigation measures identified below.

(1) Project Impacts on the Schools in the Project Attendance Area. Assuming no significant change in existing school enrollment capacities between now and project buildout, one of the four following mitigation alternatives would be required to reduce project impacts on elementary school enrollment (K-6) to a less than significant level.

(1a) Expand Existing Capacity at Grass Valley Elementary School. Change the attendance boundaries or rules to allow a distribution of students on the basis of

available space and distance so that project elementary school students who could not be accommodated at Grass Valley and Marshall Schools could attend one of the other nearby District elementary schools with available capacity. Boundary changes would require considerable study by the District, would be subject to public review, and would take a year or more to implement.¹ (School District Responsibility.)

(1b) *Expand Existing Capacity at Grass Valley Elementary School.* Alternatively, as requested by the school district, contribute to the cost of portable classrooms needed to accommodate the project-generated students. Under current enrollment conditions, it is estimated that three portables would be needed to provide space for elementary school students at Marshall or Grass Valley School (or one portable at one school and two at another). Each added portable classroom would be expected to occupy 600 to 1,000 square feet of space. The addition of the three units could require from 1,800 to 3,000 square feet of school yard, which could adversely affect existing outdoor recreational opportunities. This mitigation measure should be selected only if it can be shown that the addition of portables could be achieved without significantly affecting the adequacy of school outdoor recreational provisions. The school district would need to decide the point at which the additional portables would be significant. Guidelines from the California Department of Education regarding the amount of outdoor recreational area that should be provided for schools indicate the following:

- (1) approximately 3.5 acres of outdoor recreational space should be provided for an elementary school (K-6) with 300 children and morning and afternoon kindergarten sessions; and
- (2) approximately 13.7 acres of outdoor recreational space should be provided for a middle school with 700 children that does not have a running track and about 7.1 acres of outdoor recreational space for a middle school with a running track.²

These guidelines could be followed to determine the significance of the addition of portables.

(1c) *Establish a Year-Round School Calendar.* Operate schools on a year-round calendar instead of the current nine-month calendar in order to accommodate more students. The school district does not have an official school board policy regarding establishment of year-round schools. However, there are guidelines that have been sanctioned by the school board and there are specific education code requirements. (Oakland School District responsibility.)

¹Robert Long, Assistant Superintendent for Strategic Planning, Oakland Unified School District, personal communication, April 19, 1990.

²Bob Williams, Consultant, California Department of Education, School Facilities Planning Division, personal communication, May 14, 1991.

School district staff suggested that the project provide for the construction of a new elementary school on the project site and dedicate the school to the Oakland Unified School District after construction. The school district stated that this new elementary school should be sized to adequately serve the estimated 203 students generated by the project.¹ However, there is substantial agreement among educators that an elementary school accommodating 400 to 500 students is the optimum size if it is to be both cost effective and offer a quality curriculum.² Building a new elementary school to accommodate 203 students is not recommended for this reason. Building a school onsite to accommodate 400 to 500 students is not warranted by the project enrollment projections in this EIR, would not be convenient to adjacent existing neighborhoods, and is therefore not recommended. (Based on current enrollment projections, there would not be enough students to fill a school of that size.)

¹This mitigation measure was recommended by Robert Long, Assistant Superintendent for Strategic Planning, Oakland Unified School District, personal communication, April 19, 1990.

²Vera Pitts, schools consultant for the applicant, written communication, April 17, 1989.

(1d) *Reduce the Number of Project Homes.* In order to reduce enrollment impacts on elementary schools in the attendance area through project size reduction alone, the project would have to be reduced to approximately 250 to 350 units (assuming state enrollment multipliers were reasonably accurate). If 250 to 350 units were developed, the state multipliers suggest that approximately 100 to 140 students would be generated by the project. Assuming no significant near future change in current enrollment conditions, these 100 to 140 students could be accommodated with the existing excess capacity at Marshall and Grass Valley schools. If smaller enrollment multipliers that reflect recent experience with other similar projects in other Bay Area jurisdictions are applied rather than the state multipliers, the estimated project size reduction need would be substantially less.¹

(2) Project Impacts on Nearby Schools Outside of the Attendance Area. No significant impacts have been identified; no mitigation measures are required.

(3) Project-generated Cohort Group Impacts on King Estates Junior High. Implement the following measures to reduce project secondary school impacts to a less than significant level: if enrollments are projected to exceed capacity, as requested by the school district, contribute to the cost of obtaining portable classrooms for project-generated students, or, if it is determined that outdoor recreational opportunities would be adversely affected, adjust the attendance area boundaries or rules to allow excess students to attend another junior high school with excess capacity near the site. (School District responsibility.)

(4) School Access Impacts. Implement one of the following measures to provide safe and convenient access between the project and the affected schools and would reduce identified school access impacts to a less than significant level:

(4a) *Pedestrian and Bicycle Access Path to Grass Valley School.* Negotiate with the Parks and Recreation Department to establish an access route through the golf course for provision of a pedestrian and bicycle pathway between the site and Golf Links Road. Design and locate the pathway to provide adequate lighting separation from activities at Chabot Lake Golf Course. Design and locate the pathway to avoid adverse public safety impacts to the satisfaction of the Oakland Police Department. Provide adequate protection in the form of fencing or heavy landscaping to protect trail users from golf balls and to reduce trail impacts on the playability of the golf course.

¹Section 15092(2)(c) of the CEQA Guidelines states that public agencies ". . . shall not reduce the proposed number of housing units in a project if it determines that there is another feasible specific mitigation measure available that will provide a comparable level of mitigation." Because there are alternate measures identified above that would mitigate school capacity impacts, this unit-reduction measure would be appropriate only if there are other impacts identified in this EIR which the city determines can be adequately mitigated only through reduction in the number of project units.

collector road or emergency-only access connection to Golf Links Road is required to mitigate other impacts, incorporate this path into the roadway connection.

(4b) Special Transport. Alternatively, through the project homeowners association, provide a ride-sharing, van-pool, or special bus service between the project and the four affected Oakland Unified School District schools.

6. PARKS AND RECREATION FACILITIES

a. Setting

Public park and recreation facilities in the project vicinity are listed in Table 30 and described below. Of the 10 neighborhood service facilities within a 3-mile radius of the project site, four are in the City of Oakland and six are in the City of San Leandro. In addition, there are two community-serving facilities in the area in the City of Oakland, and one region-serving park under the jurisdiction of the East Bay Regional Park District. These existing facilities, as well as the recreational values provided by the undeveloped project site, are described below.

(1) Oakland Facilities. Existing Oakland parks and recreation facilities in the project vicinity include the Dunsmuir House and Gardens complex, located adjacent to the project entry; Lake Chabot Municipal Golf Course, located adjacent to and northeast of the site; Knowland Park (community arboretum and zoo), located approximately three-quarters of a mile to the north; the Sheffield Village Recreation Area, a neighborhood park with basketball courts, baseball field, tot lot, and recreation building located on Marlow Drive in the Sheffield Village neighborhood; and Hellman Recreation Area, a neighborhood park with a baseball field and tot lot located on Malcolm Avenue approximately 1.3 miles from the site. Nearby local school playgrounds, particularly at Marshall Elementary (located immediately west of the Hellman Recreation Area) and Grass Valley Elementary, also provide recreational facilities.

(2) San Leandro Facilities. In addition to the Oakland facilities, a number of park and recreation facilities within the City of San Leandro are in the vicinity of the project. Nearby San Leandro park and recreation facilities include Chabot Park, a neighborhood park with volleyball courts, baseball field, tot lot, picnic area, and fishing area located at the east end of Estudillo Avenue approximately one mile from the project site; McCartney Park, a neighborhood park with volleyball and basketball courts, baseball field, tot lot, and picnic facilities located on Breed Avenue approximately 1.5 miles from the site; and Memorial Park, a neighborhood park with a tot lot, picnic area and community building located on Bancroft Avenue approximately 1.75 miles from the site. Local San Leandro school

Table 30
PARKS AND RECREATION FACILITIES IN THE PROJECT VICINITY

<u>Facilities</u>	<u>Jurisdiction</u>	<u>Driving Distance from Site</u>
<i>Neighborhood-Serving:</i>		
Sheffield Village Recreation Area	City of Oakland	0.75 miles
Chabot Park	City of San Leandro	1.0 mile
Roosevelt Elementary School	SLUSD ¹	1.0 mile
Hellman Recreation Area	City of Oakland	1.3 miles
Marshall Elementary School	OUSD ²	1.3 miles
McCartney Park	City of San Leandro	1.5 miles
Washington Elementary School	SLUSD ¹	1.5 miles
Bancroft Junior High School	SLUSD ¹	1.75 miles
Memorial Park	City of San Leandro	1.75 miles
Grass Valley Elementary School	OUSD ²	2.8 miles
<i>Community-Serving:</i>		
Dunsmuir House and Gardens	City of Oakland	0.5 mile
Knowland Park (community arboretum and zoo)	City of Oakland	0.75 mile
<i>Region-Serving:</i>		
Anthony Chabot Regional Park	EBRPD ³	4.0 miles

SOURCE: Wagstaff and Associates, March 1989

¹ SLUSD = San Leandro Unified School District

² OUSD = Oakland Unified School District

³ EBRPD = East Bay Regional Park District

playgrounds, particularly at Roosevelt Elementary (approximately one mile from the site), Washington Elementary (located next to McCartney Park), and Bancroft Junior High (located near Memorial Park), provide additional recreational facilities.

(3) Onsite Recreation Values. As discussed in the Land Use and Visual Factors sections of this EIR (sections IV.A and IV.B), the undeveloped site itself is a prominent open space area and serves as an important visual amenity for the surrounding area. However, because it is privately owned, and because it lacks existing improvements and convenient public access, the project site does not function as a significant local recreational resource.

(4) Oakland Park and Recreation Standards. The Oakland Comprehensive Plan (OCP) sets forth the following policy: where large-scale residential development occurs on previously open land, the developer should contribute at least 2.5 acres (or the equivalent cost thereof) for public park or recreational use for every 1,000 residents. This should be in addition to any land that may be reserved for schools or that may be set aside for conservation purposes. This policy contributes to another policy stating that: efforts should be made to increase the total acreage of public parks and recreational areas to at least 10 acres per 1,000 persons, excluding schools and colleges. Currently, city park and recreation provisions in the project vicinity fall short of these 10 acre per 1,000 persons standard (without the project). However, this is the standard that the city uses and aims to achieve in the future.

b. Project Impacts

(1) Project Onsite Recreational Provisions. The proposed project development plan includes onsite recreational facilities. As described in the Project Description chapter of this EIR, the development proposal includes: (a) centrally located common recreation facilities including a pool and tennis courts, and (b) a number of turfed mini-parks accessible by trails and/or sidewalks. The tennis courts, swimming pool, and adjacent recreation area would be included in Phase 1 of the development. Trails, picnic facilities, and mini-parks would be developed concurrently with each of the five phases shown in Figure 20. Night-time lighting would be provided for all of these facilities, including the common recreational facilities, mini-parks, and offstreet trails. These onsite recreational facilities would be expected to meet some of the anticipated project-generated recreational needs. Although turfed mini-parks are proposed, there are no specific recreational provisions for children specified in the project plans. This represents a potentially adverse project impact. Also, unless the homeowners association were to continue to pay for the maintenance of open space areas and recreational facilities onsite, adverse visual and other impacts could occur.

Because the site does not currently function as a recreational resource, there would be no direct loss of local recreational opportunity associated with development of the project. The visual and open space resource impacts of the project-related open space loss would be

significant, however. These impacts are addressed in the Land Use (IV.A) and Visual Factors (IV.B) sections of this EIR.

(2) Project Impacts on Offsite Park and Recreation Facilities. Development of the site with 507 homes would be expected to directly affect the adequacy of park and recreation

facilities in southeast Oakland and northeast San Leandro by generating added population-related demand for their use. Because a complete range of facilities (e.g., baseball fields, basketball and volleyball courts, picnic facilities, indoor gathering facilities, etc.) would not be provided onsite, a significant project-related increase in the use of nearby offsite park and recreation facilities would be anticipated, particularly for those few neighborhood and community recreational sites located west of the site in Oakland and San Leandro.

The nearby Sheffield Village Recreation Area on Marlow Drive and nearby recreational sites in San Leandro, including Chabot Park and the Roosevelt Elementary School playground (both approximately one mile from the project site), would be readily accessible from the project by automobile. Most offsite park and recreation facilities would not be readily accessible by project pedestrians due to the travel distance and gradient characteristics of the project access road, and due to the location of these facilities in relation to the project access road.

Unless additional park facilities are provided in the area, the project would result in significant impacts on existing nearby park and recreation facilities. There are no existing plans for additional park facilities in the area. The project would therefore result in increased local deficiencies in meeting the city park and recreation area per capita standard of ten acres of public park and recreation area per 1,000 persons. As indicated by Table 30, the deficiencies would be expected to affect the adequacy of nearby facilities in both San Leandro and Oakland.

(3) Project Impacts on the Dunsmuir House and Gardens Complex. As indicated on Figure 14 and described in the Project Description chapter of this EIR, the proposed project construction program includes reconstruction of the existing Covington Drive entry to Oakland's Dunsmuir House and Gardens facility in order to accommodate the proposed Peralta Oaks-Foothill Way extension and the initial segment of the project entry road. The applicant proposes to restore the south entrance as the main entry to Dunsmuir House in order to facilitate the Peralta Oaks-Foothill Way extension. Off-street parking (40 spaces) would be provided at the new entrance and bus pullouts would be constructed. The proposed improvements would be expected to enhance the Dunsmuir House facilities and encourage greater use of this city recreational site. The applicant's concept for a new Dunsmuir House and Gardens southern entrance and shared parking facility would require the approval of the Dunsmuir House Board of Directors and the city's Parks and Recreation Department. These proposed improvements would not constitute a significant adverse impact.

(4) Project Impacts on the Quality of the Recreational Experience at Lake Chabot Municipal Golf Course. The project site is immediately west of the city's Lake Chabot Municipal Golf Course facility. As shown on Figure 7, the project's North and East residential development subareas would be directly adjacent to the golf course. Although the project would not directly encroach onto the golf course, the introduction of additional

r residential development along the golf course boundary would adversely affect the quality of
r hole #16 due to the increase in human activity adjacent to the course that would distract
r golf course users, and due to the change in the character of fairway views from open space
r to residential structures.¹ (Hole #16 of the golf course is immediately north of the East Bay
r Municipal Utility District's Peralta water tank shown on Figure 7.) The Oakland Office of
r Parks and Recreation (OOPR) states that over 60,000 golfers use the course annually, and
r that hole #16 (fairway and green) is considered by most to be the most picturesque site on
r the golf course and is frequently the location where slow play is a tradition in order to take
r photographs and enjoy the broad views.² In this light, the identified project impact would be
r significant.

r The OOPR also states that the existing golf course boundary includes inadequate space for
r expansion of fairway yardage to meet championship standards, and that approval of the
r project as currently designed (Figure 7) would create a "land locked" situation for the golf
r course, precluding future modification of the contiguous southwest boundary of the golf
r course as necessary to provide the additional yardage to meet championship standards.
r Since the city has limited golfing facilities now, with little realistic potential for adding future
r courses due to the lack of available land and resources for development,³ this "land locking"
r effect of the project would represent a significant adverse impact.

r (5) Project Impacts on Lake Chabot Municipal Golf Course Security. The proposed project
r could also significantly reduce golf course security by increasing golf course accessibility
r from the west. In particular, there could be an increase in vandalism and unauthorized
r play, which could adversely impact playability of the golf course.⁴ In addition, the project-
r related increase in golf course accessibility would increase the city's liability, which is
r already jeopardized with trespassing by joggers, bikers, hikers, and walkers.⁵

c. Mitigation Measures

Unless stated otherwise, all mitigation measures identified below are not included in the
project and are not proposed by the project proponent. Unless stated otherwise, the project
sponsor is responsible for implementing the mitigation measures identified below.

¹In the 1988 Draft EIR, this golf course hole was incorrectly referred to as hole #13.

r ²Memorandum from Office of Parks and Recreation to City Planning re: Dunsmuir Heights
r Revised Draft EIR Comments; February 15, 1991.

r ³Ibid.

r ⁴Bill Menear, Senior Golf Supervisor, Oakland Office of Parks and Recreation, personal
communication, November 2, 1988.

r ⁵OPR memo; February 15, 1991.

(1) Onsite Recreational Opportunities. Implement the following mitigation measures to reduce onsite recreational impacts to a less than significant level:

(1a) Provide Recreational Facilities for Children. Provide recreational facilities for children to the satisfaction of the Planning Department and Office of Parks and Recreation.

(1b) Ongoing Maintenance of Onsite Project Open Space and Recreational Facilities. Each homeowner shall be required to pay monthly homeowner association dues in order to insure that funds are available to pay for ongoing maintenance of onsite project open space and recreational facilities. The homeowners association CC&Rs shall specify that payment of dues will be enforced through the title to the property which specifies that a lien can be placed on the property in the event that dues are not paid.

(2) Project Impacts on Offsite Park and Recreation Facilities. Formulate a mitigation program in consultation with the parks and recreation departments of the two cities. Include one or some partial combination of the following measures in the program in order to reduce project impacts on offsite park and recreation to a less than significant level. Some of the measures involve the City of San Leandro. Implementation of these interjurisdictional measures would require voluntary cooperation and coordination between the applicant and the two cities.

(2a) Provide 3.5 Acres of Park and Recreation Facilities. Duplicate 3.5 acres of public park and recreation facilities onsite and/or offsite that are appropriately located to meet the needs and standards associated with the anticipated project population (given the projected project population total of 1,406 people, 3.5 acres of park would be required to meet the current OCP minimum standard of 2.5 acres of public park and recreation area per 1,000 population where large-scale residential development occurs on previously open land);

(2b) Contribute a Parks and Recreation Fee. Contribute to the two cities an in-lieu parks and recreation impact fee, negotiated between the applicant and the parks and

recreation departments of the two cities, sufficient to offset anticipated project impacts (i.e., sufficient for corresponding parkland acquisition and/or direct parkland improvements in the two cities);

(2c) Contribute towards Specific Improvements to Existing Facilities. Contribute a reasonable fair share, to be negotiated between the applicant and the two cities, towards the cost of improving one or more existing recreational facilities in the site vicinity. For example, there is existing additional city-owned land at the Sheffield Village Recreation Area that could be developed as additional park acreage.¹ There may be similar nearby opportunities in San Leandro.

(3) Project Impacts on Dunsmuir House and Gardens Facility. No significant adverse impacts have been identified. Nevertheless, coordinate all related design refinements with Oakland OPR staff, and the DHGI board representatives, and complete final designs to the satisfaction of these two entities. All DHGI property modifications and/or encroachments must be reviewed by the DHGI Board and approved by the Oakland Parks and Recreation Commission.

(4) Project Impacts on the Quality of the Recreational Experience at Lake Chabot Municipal Golf Course. The city's Office of Parks and Recreation has recommended that, as a condition of project approval, the project design should be modified as necessary to allow a revision to be made to the contiguous, southwest Lake Chabot Golf Course boundary which would provide for the future added fairway length required to make the municipal course meet championship standards.²

Other measures identified elsewhere in this RDEIR to reduce other impacts that would also reduce this impact include:

- Mitigation measures that would reduce project visual impacts on Lake Chabot Municipal Golf Course hole #16 identified in the Visual Factors section of this EIR (IV.B.3).
- Mitigation (5) below that includes a wall to address golf course security. This would also reduce noise levels, thereby reducing the level of distraction experienced by golfers.

¹Arnold Norte, Senior Supervisor, Oakland Office of Parks and Recreation, personal communication, October 31, 1988.

²H. K. White, Director, Oakland Office of Parks and Recreation, written communication, March 1989.

interrupted by a solid, secured gate at the East Bay Municipal Utility District's access easement to the Peralta water tank. Design the wall and gate to avoid adverse visual impacts, and achieve consensus between the applicant, the City of Oakland, and the East Bay Municipal Utility District.

d. Project Relationship to Adopted Plans

The project would not create additional park and recreation facilities for public use. Although the proposed onsite recreational areas would meet some of the additional demand for recreational facilities generated by the project, other project-related recreational needs would not be met onsite, and would therefore contribute to cumulative unmet demands in the project vicinity for park and recreation acreage. On the basis of the Oakland Comprehensive Plan (OCP), which specifies a park standard of 2.5 acres per 1,000 population where large-scale residential development occurs on previously open land, the estimated project population of 1,406 people would warrant an additional 3.5 acres of public park and recreation area. The combination of active onsite facilities shown on the project development plan is less than one acre and does not meet the OCP standard. Additionally, the project would not promote the following citywide goal: Efforts should be made to increase the total acreage of public parks and recreation areas within the city limits, exclusive of facilities at schools, colleges, and universities, to at least 10 acres for every 1,000 residents. Mitigation Measure 2 above identifies means by which the project could be modified to be consistent with these policies.

7. ROAD CONSTRUCTION AND MAINTENANCE

a. Setting

Public street maintenance costs for the City of Oakland are included in the budget of the Maintenance Services Division of the Office of Public Works. This Division performs many functions in addition to street maintenance, including sewer maintenance, maintenance of the surface and shoreline of Lake Merritt, maintenance and repair of parking meters, and weed abatement. The city is divided into four geographical divisions for surface patching and other public road maintenance purposes. In the project vicinity, an eight-person major city road maintenance crew and a three-person minor city road maintenance crew are responsible for street maintenance. Due to lack of sufficient funding, a backlog of maintenance requests has built up. However, as funds from state Measure B become available, the city expects to adequately meet maintenance needs.¹

¹Gordon Gagahan, Principal Public Works Supervisor, Maintenance Services Division, Oakland Public Works Department, personal communication, September 29, 1988.

The city also has four one-person signage and striping crews citywide.¹

b. Project Impacts

(1) Capital Improvements. Offsite street extensions and widenings to serve the project, including the Peralta Oaks Drive-Foothill Way extension, and other road improvements in Oakland and San Leandro necessary to mitigate project impacts, would be designed and installed by the city engineering staff of the affected city, and by the applicant's engineers under the supervision of city engineers. New streets within the development, which are proposed to be private, would be designed and funded by the applicant. Additional street improvements at the entrance to the project, including the Dunsmuir House and Gardens facility south gate, would also be funded by the applicant. Project-related offsite improvements to the I-580 interchange would be designed and installed by the city, Caltrans, and the applicant's engineers, and would be funded by the applicant.

All internal project streets are proposed to be private, including the split-level hillside access route, Dunsmuir Heights Drive. However, the 50-foot wide segment of Dunsmuir Heights Drive between the project entry gate and the Peralta Oaks Drive-Foothill Way extension (approximately 280 feet in length) would be dedicated to the city. These improvements and dedications would not constitute significant adverse road maintenance impacts.

(2) Project Related Street Maintenance Costs. Most of the project streets would be private.² Project-related additions to the physical extent of the city street system requiring maintenance in the City of Oakland would include the Peralta Oaks Drive-Foothill Way extension (approximately 750 feet), the Dunsmuir House and Gardens south gate area (approximately 100 feet), and the publicly dedicated portion of Dunsmuir Heights Road, (i.e., between Peralta Oaks Drive-Foothill Way and the project entrance gate, approximately 280 feet). The Dunsmuir Heights Homeowners Association would maintain the internal, private project street systems. The new roadway length to be maintained by the city would total approximately 1,130 feet.

City staff estimates that maintenance costs for a two-lane street in Oakland average \$10,000 per mile (\$1.89 per foot) annually for older streets. This figure includes sweeping and cleaning, pavement repair, and street markings and sign maintenance. According to city staff, a well-built new street should require little maintenance (only sweeping and cleaning) over the first 20 years of its life. Based on the rate of \$1.89 per foot, road

¹Gagahan.

²Contingent upon approval of a general plan amendment allowing the project access road to be privately owned.

maintenance of 1,130 feet of new roadway area would cost the city an average of approximately \$2,000 each year after construction.

r If the general plan amendment to delete the collector street is not approved, the project
r entry road/through road would be public, i.e., roughly 7,600 feet of project roads would be
r added to the public domain. Thus, without approval of the general plan amendment, a total
r of roughly 7,600 feet of additional street length would need to be maintained by city road
maintenance crews. On the basis of the \$1.89 per foot rate, maintenance of the entire
r project street system would cost the city an average of approximately \$14,500 each year.
These costs implications are included in the evaluation of the project's municipal cost-
versus-revenue impacts in section 8 of this chapter. Even though the full \$1.89 per foot
maintenance cost would not apply until many years in the future, for purposes of the
present analysis, the full \$1.89 per foot was assumed both at the fifth and the tenth year.
This assumption, therefore, overstates project road maintenance costs in the near term. In
any event, the fiscal analysis in section 8 of this EIR chapter indicates that these costs
would be adequately offset by project-generated revenues.

r (3) Offsite Street Maintenance Costs. The project would increase daily use of nearby
r offsite public streets in Oakland and, to a lesser extent in San Leandro (see Figures 40 and
42 in the Transportation section, IV.C), and would contribute correspondingly to cumulative
r road maintenance needs in Oakland. Cumulative increases in road maintenance needs
could be expected to require added personnel hours and equipment and related municipal
r expenditures in Oakland. The costs to San Leandro would be insignificant.¹ The fiscal
r analysis in section 8 of this EIR chapter indicates that these minimal project-related
expenditures would be adequately offset by added project-generated gas tax and vehicle
fine revenues.

c. Mitigation Measures

Maintenance costs associated with offsite traffic increases on existing street system components in Oakland and San Leandro would be largely offset by project-related gas tax and vehicle fine revenues, and are not expected to represent significant impacts. Therefore, no mitigation measures are required.

8. FISCAL IMPACTS--COST-REVENUE COMPARISON

The purpose of this fiscal impact evaluation is to provide a general, order-of-magnitude comparison of the potential municipal cost and revenue effects of the proposed project. The analysis was prepared for the EIR authors by Angus McDonald & Associates, consultants in land use economics and public finance.

r ¹Letter of January 23, 1991, from Bob Goldman, Angus McDonald and Associates.

Note: The fiscal impacts/cost revenue findings in this EIR differ substantially from those in the 1988 Draft EIR. Please refer to Appendix G of this revised EIR for an explanation of these differences.

a. Methodology

The objective of this analysis is to determine the incremental ongoing municipal costs and revenues that would directly result from the project. The basic question addressed is "would the city be better or worse off fiscally if the project were built, assuming everything beyond the project boundaries remains unchanged?" While the results are presented in terms of constant dollars (i.e., dollars of constant purchasing power), both the general rate of inflation and the rate of property value appreciation would affect property tax and property transfer tax revenues. Both the general rate of inflation and the rate of property value appreciation were assumed in this analysis to be five percent per year.

The parameters affecting local government revenues are in general clearly defined in law. Local government costs, or expenditures, on the other hand, are less easily related to specific land uses and are subject to discretionary decisions by the city. Although the city could choose to deal with increased demand for city services in the project vicinity without increasing expenditures, this approach could result in a reduced level of services provided to other parts of the city. The analysis presented here is based on the assumption of a constant level of service citywide; i.e., on the assumption that the city would respond to the new service demands generated by the project residential units at the same level of service that was generally provided throughout the city in fiscal year 1989/90.

b. One-Time Revenues

Development of the project site would generate public revenues from *one-time sources* such as sewer connection charges, and various construction permit and development review fees. This analysis assumes that these revenues would fund (be offset by) government expenditures associated with development review (planning, building inspections, engineering review, public hearings, general administration, etc.) and connection to municipal systems (sewer hook-ups, etc.).

c. Ongoing Revenues

Development of the project site would also generate *ongoing annual revenues* in the form of property taxes, real estate transfer taxes, sales and other non-property taxes, special assessments, state subventions (gas and cigarette tax, etc.), fines and penalties, and other miscellaneous sources. Table 31 provides a breakdown of these estimated ongoing annual municipal revenue figures, assuming that the project would be completed and fully occupied within five years, as suggested by the preliminary phasing plan. In the fifth year after project construction begins (i.e., the first year of full buildout), an estimated \$1,154,300

would be anticipated from these tax assessments and state subventions. In the tenth year, these revenue sources would generate an estimated \$896,900.

The fiscal analysis summarized in Table 31 does not include revenues from various fees and charges for current services. In general, such fees and charges are imposed by the city to offset the costs of providing certain services. A building permit fee, for example, is imposed to cover the costs of processing a permit application and to perform various field inspections required by the building code. Where possible, the analysis has excluded both the costs and revenues associated with such services. There were two cases, however, where it was not practical to exclude the costs of current services: planning and recreation. In these two cases, the full costs of the services were included in the analysis, while no fee revenue (e.g., park and recreation user fee revenue and permit application fee revenue) was included because the data was not readily available and such revenues are minimal. The net effect of this approach is to slightly understate revenues in relation to costs (i.e., this provides a more conservative estimate of project revenues).

Revenues from business license taxes were also excluded from the analysis. While the proposed project includes no commercial uses (and, hence, would have negligible on-site business activity), it would likely directly generate some business license tax revenues through rental housing. The city imposes the business license tax on all rental housing in the city. Again, the effect of this would be to slightly understate revenues.

(1) Property Tax. After project buildout, property taxes would represent the largest single source of revenue from the proposed project. Proposition 13 limits general property taxes to 1.0 percent of the taxable assessed value of real property. In general, increases in taxable market value may not exceed 2 percent per year unless a property changes ownership, in which case the value is reset by the County Assessor at the then current market value.

The distribution of general property tax revenues among taxing jurisdictions is accomplished in accordance with the mandates of Assembly Bill 8, which established the method for calculating the share that would go to each jurisdiction based upon its share prior to the enactment of Proposition 13. These shares are expressed in Tax Apportionment Factors.

r The City of Oakland Tax Apportionment Factor is 0.3467 in the Tax Code Area in which the project is located (TCA 17-001). In other words, the City of Oakland receives 34.67 percent of the general property tax revenues generated in the project area.

Oakland gets additional property tax revenues from an override tax rate of 0.1575 percent (i.e., in addition to tax revenues generated by the general one percent tax rate). These funds, which are dedicated to police and fire retirement, will flow into the general fund, and are, therefore, included in the analysis. According to Oakland staff, in the absence of the tax override, other general fund sources would be required to pay for these retirement obligations.

Table 31

ESTIMATED ANNUAL CITY COSTS AND REVENUES (1990 DOLLARS)

	<u>Fifth Year</u> <u>1995-1996</u>	<u>Tenth Year</u> <u>2000/2001</u>
GENERAL REVENUES		
General Property Tax	\$409,000	\$379,400
Real Estate Transfer Tax	353,700	144,400
State Taxes		
Sales Tax	20,300	20,300
Motor Vehicle in Lieu	50,500	50,500
Cigarette	2,600	2,000
Local Taxes		
Utility Consumption	35,800	35,800
Franchise Tax	8,100	8,100
Fees and Charges		
Fines and Penalties	24,500	24,500
EARMARKED REVENUES		
Landscaping and Lighting District	44,100	44,100
Gas Tax	20,800	16,300
Property Tax Override	184,900	171,500
Total Revenues	\$1,154,300	\$896,900
MUNICIPAL COSTS		
Police Services	\$240,100	\$240,100
Fire Protection Services	183,900	183,900
Parks and Recreational Services	117,100	117,100
General Government Operation	66,600	66,600
Road Maintenance--with Amendment	2,000	2,000
r Road Maintenance--without Amendment	<u>14,500</u>	<u>14,500</u>
Cost Total--with General Plan Amendment	\$609,700	\$609,700
r Cost Total--without Amendment	\$624,200	\$624,200
<hr/>		
Net City Revenue--with Amendment	\$544,600	\$287,200
r Net City Revenue--without Amendment	\$530,100	\$272,700

SOURCE: Angus McDonald & Associates, October 1990; based on data from the Oakland 1989-90 Adopted Policy Budget, contacts with city and county staff, and responses to public review period comments on the Draft EIR.

Property tax revenues were estimated based upon an assumption that, on average, 12.5 percent of the housing units would change title each year (i.e., on average, project houses would change ownership once every eight years), and that the average rate of property appreciation would be the same as the general rate of inflation over the analysis period (five percent per annum). Because the assessed value of the property would increase less rapidly than the overall rate of inflation, property tax revenues stated in constant dollars would decline between year 5 and year 10 of the analysis. This relative decline in real value of property tax revenues would continue beyond year 10.

The assessment is based on an estimated total development value of approximately \$117.4 million for year 1995-1996 and approximately \$108.9 million for year 2000-2001 (fifth year and tenth year, respectively, on Table 31).

(2) Real Estate Transfer Tax. The city receives a Real Property Transfer Tax of approximately 0.94 percent of the selling price at the time of any transfer of real property in its jurisdiction.¹ The tax is collected in one lump sum at the time of sale. For purposes of this annualized fiscal impact analysis, the transfer tax was estimated using the same residential turnover rate (12.5 percent per year) and house price appreciation assumptions as were used in estimating property tax revenues. The revenue estimate shown in Table 31 from the transfer tax is high in the fifth year because of the large number of new units (109) selling for the first time in that year.

(3) Sales Taxes. Cities in California levy a tax on the retail sale of most goods (food for home consumption, prescription drugs, and a few other items are exempted).

Sales tax revenues were estimated based on projected expenditures of project residents within the City of Oakland. Based on the range of anticipated project house prices, the average income of project households was estimated at \$75,900. Assuming this average income figure, an analysis of the spending pattern of project residents was performed, using a model of consumer expenditures developed by Angus McDonald & Associates based on the U.S. Bureau of Labor Statistics' Consumer Expenditure Survey data. The sales tax revenue accruing to Oakland would amount to 0.95 percent of taxable purchases made within the city's boundaries. Due to the location of the project immediately adjacent to the San Leandro border (Safeway, Greenhouse Center, Bay Fair Shopping Center, etc.), this analysis assumes that only 18 percent of potential revenue from this category will be captured by Oakland. In other words, more than 80 percent of taxable expenditures by project residents would occur outside of Oakland (San Leandro, San Francisco, mail order, etc.).

¹The City of Oakland receives 99.25 percent of the 0.95 percent Real Property Transfer Tax. Alameda County receives the remaining 0.75 percent.

(4) Motor Vehicle In-Lieu Fee Revenue. Motor vehicle in-lieu fees (vehicle license fees) are distributed by the state to localities solely on the basis of population. The revenue is generated by vehicle registration fees (in lieu of property tax) paid to the Department of Motor Vehicles. The estimate of motor vehicle in-lieu fees from the project was based on information in the 1989-90 Budget for the City of Oakland. The revenue to the city was divided by a 1990 city population estimate from the California State Department of Finance of 357,600 people. This produced a per capita multiplier of \$35.91 that was, in turn, applied to the project's residential population for each year of the analysis.

(5) Cigarette Tax Revenue. Some of the excise taxes collected by the state on tobacco products are distributed back to localities. Tax revenue so distributed amounts to three cents per pack of cigarettes. The local share is split between cities and counties based on a formula that includes both population and sales tax. Thus, revenues for this category were derived using a similar per capita technique, again using data from the 1989-90 budget and the 1990 population estimate for the city. The resultant per capita multiplier (\$2.35) was then discounted by the rate of inflation (to convert from nominal to real dollars) and applied to the estimated residential population of the project.

(6) Utility Consumption Tax Revenue. Oakland charges a 5.5 percent tax on gross receipts from gas, electric, and telephone services consumed within the city. The estimate for gas and electricity is based on 1989 PG&E average annual residential billings: electricity at \$610 and natural gas at \$313. The estimate for telephone services is based on the average annual residential billings of Pacific Bell, \$360.

(7) Franchise Tax Revenues. Oakland also imposes a tax based upon gross receipts of certain businesses franchised to operate in the city. These taxes apply to natural gas and electricity and cable television. The franchise tax on gross gas and electric receipts is 1 percent. Cable TV gross revenues are taxed at the rate of 5 percent. Cable TV revenue estimates were based on the assumption that 40 percent of the units in the project would subscribe to Cable Oakland and that average annual billings to subscribers would be \$336 (the average market penetration rate and billings for Cable Oakland). Fees from Oakland Scavenger Company or other franchised enterprises were excluded from this analysis.

(8) Landscaping and Lighting District Revenue. The City of Oakland formed a Landscaping and Lighting Assessment District that went into effect in 1990. In a parallel action, the city abolished the Municipal Services Tax. The second annual assessment on single-family houses imposed by the city was \$87. The Notice of Public Hearing to form the district explained the rationale as follows:

Under the Landscaping and Lighting Assessment District proposal, the cost of landscaping and lighting will no longer be paid from the General Fund. Because of this reduction in General Fund expenditures, current levels of Police, Fire and other

vital services can be provided from the General Fund, and the Municipal Services Tax will be eliminated.

The 1990/91 \$87 assessment was assumed to remain constant in real dollars in the analysis.

(9) Gasoline Tax Revenue. This revenue item was estimated in accordance with Section 2105, 2106, and 2107 of the California State and Highway Code. The revenue estimates include the City's share of the new fuel tax funds from the recent passage of Proposition 111.

(10) Fines and Penalties Revenue. The city fines and penalties revenue estimate in Table 31 is based on totals in this category from the 1987-88 Budget divided by the population of the City of Oakland. The per capita multiplier (of \$17.42) was then applied to the project's estimated residential population each year.

d. Municipal Costs

(1) Approach and Summary. Development of the project site would increase public costs associated with the various municipal service demands described earlier in this section. For example, the EIR indicates that the project would generate the need for additional police and fire protection service.¹ There would also be project-related increases in the demand for city cultural and recreation resources (e.g., parks and recreation areas). In addition, there would be increased costs for general government operations, including additional expenditures by the City Manager's Office, City Clerk, City Attorney, Finance Department, Personnel, City Planning Department, and various support services. Finally, there would be a need for additional road maintenance services.

For purposes of this EIR fiscal analysis, estimates of municipal costs anticipated as a result of the project are based primarily on analysis of pertinent line items in the ongoing city budget for fiscal year 1989/90. Each pertinent line item was examined and a determination made as to the demands that the current project would impose to maintain the current level of service.

In summary, Table 31 indicates that the project is estimated to increase municipal costs by approximately \$609,700 per year with approval of the general plan amendment to allow the private project street system. If the general plan amendment is not approved, the annual municipal cost total is estimated to increase to \$624,200 per year due to the added road maintenance cost.

¹The costs for police and fire protection service include estimated general departmental operational costs in addition to the costs described earlier in this section.

The cost of capital improvement needs that would directly benefit the development, such as required road, curb, storm drainage, and sewer extension installation, are not indicated in this analysis. It is assumed that such initial costs would be assigned to the project through a combination of the one-time project service charges, connection fees, and development review and permit fees, plus direct expenditures and fair-share cost assessments.

The derivation of the cost estimates for various line items in Table 31 is described below.

(2) Police Service Costs. The biggest effect the project would have on police costs would be on the city's Field Operations Division. The ratio of Full Time Equivalent (FTE) personnel to resident population in the Division in 1989/90 was 1.47 per thousand. Applying this same ratio to the projected personnel population yields a need for an additional 2.06 FTE positions. The average personnel cost per FTE in 1989/90 was \$73,783, and the operation and maintenance cost in the Division per FTE was \$7,412. These costs were applied to the project-generated need for 2.06 added FTEs. It should be noted that this approach overstates the project impact, since it implicitly assumes that all demand for services in the Field Operations Division is generated by the city's residential population alone. In fact, significant demand for police services is also generated by nonresidential land uses (e.g., retail, office, industrial, and public).

Using the same technique, it was estimated that the project would generate demand for an additional 0.6 FTE in the Investigation Division. The effect on other administrative and support services within the Police Department was judged to be negligible.

(3) Fire Service Costs. Based upon comments received from the Fire Department and discussions with department staff, it is estimated that the project would produce a demand for an additional two Full Time Equivalent positions. The average (total) cost per FTE in the Department in 1989/90, \$91,944, was used to estimate the cost of each additional FTE.

(4) Cultural and Recreational Costs. This category consists of city parks and recreation, library, and museum costs. Since information was not available from the city upon which to base an estimate of the incremental burden that the project would impose on each of these cultural and recreational services, an average cost technique was used.

Only General Fund and Landscaping and Lighting Maintenance Fund supported costs were included in the analysis (i.e., special grant and other special funds were excluded). A per capita cost estimated citywide was applied to the project population to derive an estimate of project induced costs. It should be noted that the city imposes user charges for many programs in this category and no credit for these revenues was given to the project in this analysis.

(5) General Government. General government costs include the City Manager, City Clerk, Finance, City Attorney, Personnel, Auditor, Planning, Retirement Systems Administration and Information Services.

The cost estimate was derived based upon the ratio of the number of FTEs in line departments that would be required to serve the project to total city FTEs. In other words, the cost of general government was assumed to increase proportionately with the increase in city service personnel that would be required to serve the project. In the case of the Planning Department, this approach overstates the burden that the project would impose since the costs of many planning services are offset by various application and processing fees.

(6) Road Maintenance. The estimate of project road maintenance costs is based upon city staff estimates that older two-lane roads cost \$10,000 per mile (\$1.89 per foot) annually to maintain. Project road maintenance costs were based on an estimate of approximately 7,600 feet of project-related roadway (1,130 of which would be maintained by the city under the General Plan amendment). Since new roads cost less than older roads to maintain, the assumptions used in the analysis are conservative (i.e., they overstate road maintenance costs in the fifth and tenth years).

(7) Costs and Revenues Not Included in This Analysis. Development fees, construction permit charges, and charges for current service were not included because they are offset by expenses for the service. Similarly, the costs of providing such services (with the exception of cultural and recreational services and planning services) were also excluded.

Transient Occupancy and Business Tax revenues were excluded since the project's contribution would be small.

In addition, the City of Oakland derives revenues from the investment of idle funds. Funds are available for investment when receipt of revenues occurs in advance of the need for expenditures or when fund reserves are established as a result of revenues exceeding expenditures. Even though this analysis determined that the project would produce greater revenues than expenditures, no credit was given to the project in the analysis for return on money and property.

e. Comparison of Ongoing Costs and Revenues--Short-Term

Comparison of ongoing public costs versus public revenues associated with the project (Table 31) generally indicates that it would produce a revenue surplus to the city. The project in year five would be generating an estimated surplus of slightly over one-half million dollars. In year ten, the project would continue to operate at a surplus estimated at roughly one-quarter of a million dollars (from \$243,200 to \$287,200, depending upon whether the access road is public or private).

and occasional perennials. This "disturbed" grassland habitat is found on approximately 60 acres, or 45 percent of the project site, covering most of the central knoll and ridgeline areas.

Total ground coverage by vegetation in these onsite disturbed grassland areas often approaches 100 percent, although a few areas, particularly in the eastern portion, are more sparsely vegetated due to intrusion by off-road vehicles. The cover is relatively weedy and varies greatly in species composition, containing a high proportion of thistles, filarees, and ripgut grasses. The current dominant grass species include wild oats (*Avena* sp.), soft chess (*Bromus hordeaceus*), star thistle (*Centaurea melitensis*), milk thistle (*Sibbthium marianum*), filaree (*Erodium* sp.), mustard (*Brassica* sp.), wild radish (*Raphanus sativus*), pimpinell (*Anagallis arvensis*), brome (*Bromus* sp.), and others. Some of the more prominent remaining native herbs in the disturbed grassland areas include blue-eyes grass (*Sisyrinchium bellum*), brodiaeas (*Triteleia laxa*), California poppy (*Eschscholzia californica*), and fiddleneck (*Amsinckia intermedia*). A more complete plant species list is included in Appendix F of this EIR.

Overall, the site's disturbed grassland areas provide a valuable forage resource for many wildlife species, particularly when mixed with oak communities.

(3) Native Perennial Grassland. There are three areas identified in Figure 70 that still contain a high proportion of native perennial grasses including needlegrass (*Stipa pulchra*), wild rye grass (*Elymus glaucus*), squirreltail grass (*Sitanian hystrix*), and California oakgrass (*Danthonia californica*). Again, see Appendix F for a more complete species list. Figure 70 indicates that the three areas of predominantly native perennial grassland total approximately 6 acres. Given the extent of intrusion by non-native species in most of the region's grassland areas, these remaining predominantly native grassland areas have relatively high biotic value.

(4) Oak Woodland. Figure 70 illustrates how oak woodland comprises the second most predominant natural habitat feature of the project site. The figure indicates that the oak woodland category comprises approximately 40 acres, or approximately 31 percent of the property. These oak woodland areas range in composition from scattered individual oaks on the site hillsides and ridges, to dense oak groves in the ravines and side canyon areas. The vast majority of trees in these woodland areas are coast live oaks (*Quercus agrifolia*). There are also occasional California bay (*Umbellularia californica*) and California buckeye (*Aesculus californica*). This oak woodland mixture is common in the California Coast Ranges as the dominant vegetative community on semi-protected slopes, in valley bottoms, and along many ephemeral creeks and ravines. It is one of the most common plant communities in the project vicinity, and is particularly prevalent on the adjacent Drinnen property to the north and the adjacent EBMUD watershed and EBRPD park lands to the east and southeast. The oak woodland community is a relatively productive and valuable habitat for wildlife, given its structural diversity and shelter value.

In early 1990, registered professional foresters were retained by the applicant to complete a precise, 100 percent inventory of existing trees on the site. This tree inventory included a systematic counting of all existing trees on the Dunsmuir property. Trees were marked as they were counted to avoid duplication or omission. According to this inventory, the site contains a total of 4,796 trees (mostly coast live oak) having a diameter at breast height (4.5 feet above ground) or 4 inches or greater.¹

Most trees found onsite are relatively mature (up to 40 feet tall and up to 18 inches in diameter). Beneath the denser woodland and forest canopy, the understory vegetation is relatively sparse because of heavy shading. However, in the clearings and along the edges of the oak woodland, this understory is comprised of a relatively rich variety of common shrub and vine species, including coyote bush (*Baccharis pilularis*), blackberry (*Rubus* sp.), gooseberry (*Ribes* sp.), honeysuckle, snowberry (*Symphoricarpos albus*), poison oak (*Toxicodendron diversilobum*), toyon (*Heteromeles arbutifolia*), bush monkeyflower (*Diplacus aurantiacus*), elderberry (*Sambucus mexicana*), and wild rose (*Rosa californica*).

- r Coast live oak, alone and in combination with other tree species, accounts for a very large proportion of the coastal California landscape, including the majority of vegetation in most local regional parklands (Anthony Chabot, Redwood, Tilden, Wildcat Canyon, Joaquin Miller, Briones, and las Trampas). However, due to the extent of local urbanization, the City of Oakland has almost no large expanses of native oak woodland left. The Dunsmuir Heights project site is one of the last remaining large pockets of oak woodland in the city.

Currently in California, coast live oak is only protected at the local level. Oaks throughout much of their ranges are experiencing difficult regeneration problems (a decline in seedling production) due to numerous factors, including grazing, intrusion by non-native or exotic grasses, increased rodent populations, and climatic changes. As a result, oak woodland is failing to naturally regenerate sufficiently to sustain itself. There has been considerable success, however, with man-assisted oak replacement programs, particularly involving second generation planting in the understory areas of existing woodland.

(5) Sage Scrub. Patches of shrubby sage scrub, a relatively dry, inland form of the California coastal scrub habitat, are found scattered throughout the project site, particularly on the northern and southern slopes of the central knoll area. As mentioned above, sage scrub vegetation also occurs on rocky ridgelines and on exposed south slopes along the edges of the oak woodland habitat. Figure 70 indicates that the sage scrub habitat is found on approximately 23 acres, or 18 percent of the site.

¹Ralph Osterling Consultants, Registered Professional Foresters, letter of April 30, 1990 to John K. Smith, Hayward Exchange, Inc.

The dominant plants commonly found in this habitat include California sagebrush (*Artemisia californica*), bush monkeyflower, coyote bush (*Baccharis pilularis*), soap plant (*Chlorogalum pomeridianum*), everlasting, poison oak, and blackberry. Chamise (*Adenostoma fasciculatum*) is also present on the site, but not in great abundance.

The onsite sage scrub stands are relatively mature and represent small variations in the common oak woodland and grassland related to soil and exposure conditions. In scrub locations away from the woodland edges, the species richness is relatively low. These areas have relatively low wildlife browse value due to high shrub density and low individual plant vigor. Nevertheless, the site's sage scrub areas represent a significant plant community that can be an important habitat for rodents, snakes, and lizards.

(6) Drainage Courses. There are ten drainages within the project site, as shown on Figure 60 in section IV.E of this EIR. The ten drainages total approximately 8,385 lineal feet in length.¹ The ten drainages include several small side canyons and draws that drain away from the central knoll area, plus a more distinctive canyon formed by an intermittent creek in the southeastern portion of the site, as shown on Figure 70. The total streambed area in these drainages (i.e., the width of the drainage scour or ordinary high water mark times the stream length) has been estimated to be approximately 29,825 square feet (0.68 acres).²

Most of the onsite ravines and draws are steep, grass-covered or heavily-wooded runoff channels that are largely uneroded and support common vegetative species such as California bay (*Umbellularia californica*) and coast live oak (*Quercus agrifolia*), which are not normally associated exclusively with riparian habitats. The upper reaches of most of these drainage courses are marginally riparian in physical character, having little or no channel incision, being composed of common upland soil, and currently supporting no true riparian cover. Along the lower, more deeply incised reaches of most of these drainage courses, the vegetative types present are also not typical riparian species, but rather are upland species (oak woodland and sage) taking advantage of the local north-facing slopes and ephemeral runoff in an otherwise harsh, southerly exposed setting.

The intermittent creek shown on Figure 70 along the southeastern portion of the site has a more well defined riparian zone. Figure 70 indicates the stream has a vegetative cover of woodland and scrub along approximately 70 percent (approximately 1,310 feet) of its approximately 1,870-foot length. However, this upper corridor is also not truly riparian in character. Rather, it is dominated by oak trees and other typical oak woodland and sage

¹March 7, 1990 letter from Michael B. Wilmar of Nossaman, Guthner, Knox & Elliot, attorneys, to Regulatory Functions Branch, U.S. Army Corps of Engineers, on behalf of the project applicant with attachments by LSA Associates, Inc., biologists and environmental consultants.

²Ibid.

scrub plant species. The most well developed riparian area on the site is along the lower section of this southeastern creek. This area is also covered with a dense canopy of bay and live oak (i.e., is marginally riparian).

Although riparian habitats are generally considered among the most valuable natural habitats in the Bay region, the EIR biologist states that the identified marginal riparian habitats on the site are neither extensive nor of high quality. Nevertheless, the more well-defined minor riparian zone along the southeastern intermittent creek, while not supporting a significant riparian community, represents a valuable and significant habitat.

(7) Cultivated Plantings. Introduced plantings have become established in a few peripheral areas of the site. Numerous ornamental landscape plantings have become established near Sheffield Village residences adjacent to the southwest boundary of the site. In addition, there are several large eucalyptus (*Eucalyptus* sp.) trees along the southeastern site boundary. These introduced plants have relatively low habitat value.

(8) Other Notable Habitats. Other notable onsite vegetation features include wild buckwheat (*Eriogonum nudum*) and California fuchsia (*Epilobium canum angustifolium*) located around a small rock outcrop on the central hill area.

r Serpentine soils in the project vicinity have been identified as habitat for certain sensitive
r plant species. A small isolated pocket of serpentinitic material which appeared to be
r exposed by grading has been identified on the site; however, no sensitive plant species
r were identified in this deposit, and no significant natural serpentine habitats were identified
r elsewhere on the site. Nevertheless, it is possible that additional serpentine could be
r exposed during project construction and could represent a new potential future habitat for
r certain sensitive plant species if an area of sufficient size were created. While it is more
r likely that exposed subsurface serpentine may not have the soil development or other
r factors necessary to provide viable surface habitat for native vegetation, this potential
r represents a possible project minor impact.

(9) Sensitive Plant Species. Sensitive plant species are defined as those that are rare, endangered, or unique to the area or region. A summary listing of sensitive plants known in the region is included in Appendix F, Table 1, of this EIR. These plants were specifically sought during spring field surveys of the site conducted by the EIR biologist on May 3, 1988, and March 7, 1989. None of these sensitive plants were found on the project site during these surveys.

Approximately four sensitive plant species are known to be located in the general vicinity; none are known to occur on or immediately adjacent to the site.¹ The nearest reported occurrence of sensitive plants involves Alameda manzanita (*Arctostaphylos pallida*) and Diablo sunflower (*Helianthella castanea*). Both species have been found in the Oakland hills approximately four miles north of the site. Other sensitive plants which have been found in the nearby Fairmont Ridge area, specifically *Fritillaria liliacea* and *Balsamorhiza macrolepis* were not found on the site.

¹Smith and York, "Inventory of Rare and Endangered Vascular Plants of California, Special Publication No. 1," Third Edition, California Native Plant Society, 1984; California Native Plant Society ongoing collection of rare plant maps for California, on file at the California Natural Diversity Data Base, State Department of Fish and Game, Sacramento, California.

has also been reported in grassland, woodland, and rock outcrop areas of Alameda and Contra Costa counties.¹

The closest known observation of an Alameda whipsnake to the project site occurred in Leona Heights Park in Oakland, 5 miles to the north. Because of the presence of potentially suitable habitat within the project site, an abundant onsite prey base, and the known occurrence of the species in nearby areas, efforts have been made to determine if the Alameda whipsnake is present on the project site. In the spring of 1989, a field trapping survey to determine the status of the Alameda whipsnake was conducted by Larry Seeman Associates (LSA), consulting biologists, under contract to the applicant and in accordance with the provisions of a Memorandum of Understanding entered into between LSA and the CDFG. Ted Papenfus of the University of California Museum of Vertebrate Zoology was the principal field investigator. The study was conducted between late April 1989 and June 30, 1989, a time period that encompasses the major activity period of the Alameda whipsnake. The study included visual surveys and the installation of six funnel traps and drift fence units at those habitat areas of the site where the whipsnake was most likely to be present (coastal sage scrub areas and minor drainage ways). No Alameda whipsnakes were captured or observed during the six-week trapping period.

The presence of a resident population of the threatened Alameda whipsnake on the Dunsmuir Heights project site is considered unlikely. Reasons for the apparent absence of the Alameda whipsnake on the project site include, potentially, the lack of extensive stands of northern coastal scrub and coastal sage scrub.² However, the western fence lizard is common in the project site. Because the Alameda whipsnake is a lizard feeding specialist, there are a number of fence lizards on the site, and there are limited sage scrub areas, a small portion of the site may represent an area in which the Alameda whipsnake could live if imported. However, it does not represent a significant opportunity to extend its range.

A copy of the study, including a detailed description of the trapping methodologies used to locate the snake, is included in Appendix F of this EIR, entitled "Dunsmuir Heights Alameda Whipsnake Survey," August 2, 1989, by LSA Associates, Inc.

As explained earlier, occasional use of the site by other seldom seen, sensitive wildlife species such as large raptors, bobcats, and mountain lions may occur, but the site does not provide a significant amount or quality of habitat to allow these species to remain.

¹Ibid.

²LSA Associates, Inc., "Dunsmuir Heights Alameda Whipsnake Survey"; August 2, 1989 (copy included in Appendix F of this EIR.

2. IMPACTS

a. Vegetation

(1) General Habitat Loss Impacts. Figure 71 diagrams the vegetation removal impacts of the project as proposed. The overall impacts of the project on planning area vegetation would be significant, although the project would not result in any highly critical direct vegetative losses. No particularly sensitive or unusual vegetative communities would be affected, but there would be a significant amount (approximately 26 acres) of oak woodland and scrub removed, plus the clearing of approximately two overall, predominantly native perennial grasslands. All of the vegetation that would be lost is common to the region.

Nevertheless, the overall loss of mixed vegetative habitat would contribute substantially to cumulative regional habitat losses, and thus would represent a significant impact. As shown on Figure 71, the project would eliminate or alter over half of the site's existing biological habitat acreage. In addition to the 66 acres or 50 percent of the 132-acre site that would be actively developed for residential and associated infrastructure uses, approximately 19 acres of open space acreage would also be disturbed by cut-and-fill grading operations. Although cut-and-fill slopes would be re-vegetated with landscape plantings, the existing vegetative habitats in these areas would be radically altered.

Project-related introduced landscaping along the entry road and in the residential subareas would diversify the vegetation of the site. Although a specific landscape planting program has not yet been detailed, the development program indicates the planting of trees and shrubbery within the residential areas (refer to Figures 7 and 11).

(2) Impacts on Disturbed Grassland. As indicated by comparison of Figure 71 with 70, approximately 49 acres of the existing 60-acre total, or approximately, 82 percent of the site's existing disturbed grassland habitat would be cleared. The 49-acre total would include approximately 13 acres of "moderately disturbed" annual grassland, and approximately 36 acres of "heavily disturbed" annual grassland. The loss of disturbed grassland would not be regarded as a significant biological impact since this vegetative type is already highly disturbed and of a non-native character,¹ and since extensive similar disturbed grassland areas exist in the project vicinity (adjacent and nearby EBRPD and EBMUD lands).

(3) Impacts on Native Perennial Grassland. Of the approximately 6 acres of existing predominantly native (undisturbed) perennial grassland on the project site, comparison of Figures 71 and 70 indicates that approximately 3 acres, or 50 percent of this habitat community, would be displaced by project grading for roads and homesites. The loss of 3

¹Personal communication between Charles A. Patterson, EIR biologist, and Terry Palmisano, Wildlife Biologist, CDFG.

(9) Impacts on Sensitive Plant Species. The proposed project would not be expected to affect any identified sensitive or unusual plants. None of the target species listed in Appendix F and discussed earlier in this chapter were found in the area, nor was any especially suitable habitat for any of these species found. One area of exposed substrate (rock) was reported in the earlier Krenshaw study (1987), but no particularly unusual plants were found. The habitats that are present and that would be disturbed or eliminated are common to the region and are already moderately or highly disturbed and degraded. On the basis of these results, the presence of common plant communities, and the lack of unusual habitat conditions, it is not likely that any special status plants would be affected by the project.

b. Wildlife Impacts

(1) General Wildlife Declines. Project-related vegetative clearing, grading, road construction, and home construction would result in declines in use of the site by most wildlife species identified in the Setting section of this chapter. However, no particular wildlife species or populations are likely to be significantly affected. The number of resident animals actually displaced or killed as a result of the project would be relatively minor. However, the extension of urban development into the site's existing 132 acres of relatively natural, previously undeveloped habitat would contribute substantially to a significant cumulative decline in regional natural habitats and associated wildlife activity. The substantial project contribution to this regional decline would represent a significant local and regional wildlife impact.

The direct loss or disturbance of approximately 85 acres of existing grassland, woodland, and sage scrub habitat, in combination with the introduction of human activity near the remaining preserved open space areas, the fragmentation of remaining open space areas by project roads and residential development, the introduction of ornamental plants and domestic animals (i.e., cats and dogs), and the project-generated increase in urban noise and traffic, would be expected to result in substantial declines in wildlife use of the project site. Although the proposed layout of the project coincides with the most disturbed areas of the site (82 percent of the disturbed grassland area would be lost), a significant amount of the site's woodland and scrub areas (50 percent), and half of the site's perennial grasslands, would also be lost, with corresponding declines in associated wildlife use. In addition, the loss of extensive edge areas between grassland and both woodland and scrub would result in a substantial decline in local ecotone¹ values for wildlife. These combined effects would represent a significant environmental impact.

¹An ecotone is an ecological community of mixed vegetation formed by the overlapping of adjoining communities.

- r (2) Project Impacts on Lake Chabot Golf Course and Surrounding Residential Areas. Most larger animals who periodically forage on the project site would be expected to seek undisturbed shelter offsite once construction of the project commences. The Oakland Parks and Recreation Department states that such project-related wildlife dislocation could result in adverse impacts on the Lake Chabot Golf Course facility located immediately northeast of the site. Of particular concern are the potentially destructive browsing effects of displaced deer on golf course vegetation.

The number of deer using the golf course may increase during the project construction period. The temporary increase is not expected to result in a devastating or significant impact on golf course vegetation or activities. After project completion, deer activity may also increase on the golf course and in surrounding residential areas as more deer wander into these areas due to project-related decreases in onsite foraging and water supplies. Although this effect would not represent a significant biotic impact, it could result in undesirable nuisance impacts for the golf course and surrounding residents.

- r (3) Project Impacts on San Leandro Creek. Due to the amount of grading and associated ground disturbance necessary to construct the project streets and residences, there would also be a potential for significant onsite soil erosion and resultant downstream sedimentation impacts on aquatic wildlife in San Leandro Creek.

- r (4) Cumulative Impacts on San Leandro Creek. The project impacts combined with
r impacts from the golf course landfill operation could adversely affect the water quality of
r San Leandro Creek.

- r (5) Wildlife Species of Special Concern. Based on the results of the spring trapping survey for the Alameda whipsnake, under an agreement with the CDFG, (no whipsnakes were found and the likelihood of their presence was described as low), project-related habitat losses would not be expected to significantly affect this species.

d. Jurisdictional Implications

(1) State Department of Fish and Game. As explained in section III.E of the EIR (Required Jurisdictional Approvals), the California Department of Fish and Game (CDFG) has jurisdiction over any proposed activities that would divert or obstruct the natural flow or change the bed, channel, or bank of any stream, under the Fish and Game Code Sections 1601-1603. The project grading plan includes ravine fill that would alter ephemeral streams and thus would be subject to CDFG jurisdiction. Such grading cannot be initiated until a Standard Streambed Alteration Agreement is executed between the CDFG and the applicant. As a condition of such an agreement, the permit application package must include: (1) a *Wildlife and Vegetation Mitigation Plan* that includes, to CDFG satisfaction, an adequate program for mitigation of project impacts on streams and riparian vegetation; and (2) a city-approved Vesting Tentative Map or Final Subdivision Map. In the case of

this project, a city-approved Vesting Tentative Map would probably be required, since the applicant anticipates that Final Subdivision Maps may be submitted for city approval in phases corresponding to the anticipated five development sequences.

To that end, the applicant has been working with the CDFG to satisfy the Department's concerns and has submitted a proposed *Wildlife and Vegetation Mitigation Plan* (August 25, 1989) to the city for consideration in the preparation of this EIR. The particulars of that plan, and related CDFG comments (November 8, 1989), are incorporated in section 3, which follows below (Mitigation Measures).

(2) U.S. Army Corps of Engineers. The stream alteration aspects of the project also fall under the jurisdiction of the U.S. Army Corps of Engineers (USACE) pursuant to Section 404 of the Federal Clean Water Act. Section 404 gives the USACE permitting authority over activities within areas that may be "navigable waters of the United States." On the basis of the flow characteristics of the affected stream segments, the degree of project impacts (less than one acre of streambed would be filled by the project), and the type and quality of affected habitats, the USACE has determined that the project stream alterations would be covered by the general Nationwide Permit No. 26 and would not require a project-specific Section 404 Corps permit.

3. MITIGATION MEASURES

The following section identifies and describes mitigation measures for all adverse impacts identified in this chapter as significant. Some of these measures have been proposed by the project applicant as part of a proposed *Wildlife and Vegetation Mitigation Plan* prepared in consultation with the CDFG. These measures would be included as conditions of project approval and many would be subject to city zoning abatement procedures. Measures proposed by the project applicant are so indicated in parentheses. Measures with no such indication are not proposed by the applicant, but have been identified in this EIR as warranted to mitigate project impacts.

a. Vegetation Impacts

(1) General Habitat Loss Impacts. The overall loss of mixed vegetative habitat due to project-related development or alteration of approximately 66 acres (50 percent of the site) would be a significant impact. The following measures would reduce this impact.

(1.1) Enhance Remaining Open Space. Enhance areas of open space to be retained through the implementation of a detailed planting and revegetation program. Include the planting of native trees and shrubs in areas of open grassland (but not to the exclusion of open grassland), and reseeding of disturbed grassland areas with native grasses and shrubs to improve these habitats for

¹Letter from Calvin C. Fong, Chief, Regulatory Branch, San Francisco District, U.S. Army Corps of Engineers, May 22, 1990. A copy of this letter is included in Appendix F of this EIR.

wildlife use. Prepare a detailed *enhancement planting plan* with input from botanical and wildlife experts and submit it to the CDFG and city for approval.

Replace weedy grassland with a more natural herbaceous cover, while creating pockets of native woody vegetation for additional wildlife cover, foraging, and nesting. (Proposed by the applicant.)

Give selected areas with appropriate (north) exposures and low gradient slopes more intensive planting of native perennial grasses (up to three acres) to replace the native grasslands to be lost. These sites would be selected by the applicant's biological experts and reviewed with CDFG to assure reasonable success. (Proposed by the applicant.)

Plant the larger revegetated areas with an assortment of trees and shrubs within a continuous cover of native grassland. Small groves of trees and scattered shrubs within an overall grassland setting would provide cover and foraging areas for wildlife, plus an open, parklike visual setting. (Proposed by the applicant.)

(1.2) *Manage Open Space.* Incorporate within the operating charter of the Dunsmuir Heights Homeowners Association a provision for a long-term open space management program, including a vegetative management component to reduce further intrusion into preserved and enhanced habitats by non-native plant species, to reduce fire potentials, and to enforce prohibitions on shooting, wood cutting, and off-road vehicular travel. The possibility of a *maintenance assessment district* as a means of implementing such open space and other project maintenance needs is discussed in section IV.E.3.a of this EIR. (Proposed by the applicant.)

(1.3) *Use Native Plants in Common Landscaping.* Emphasize use of native, drought-resistant plants (trees, shrubs, and groundcovers) in project common landscaping plan, such as along streets and in other common landscaped areas. Many attractive native species are available that have good wildlife values as well as landscape value. These include sycamores, oaks, native pines (e.g., Coulter pine), cypress, redbud, redwood, toyon, ceanothus, fremontia, and many others. [See the bibliography in Appendix F, Labadie (1978), for additional native plant species information.]

(1.4) *Use Native Plants in Private Landscaping.* In addition to the use of native, drought-tolerant species in common areas, as recommended above, encourage the project residents through project CC&Rs and informational materials to include in private landscaping plans the planting of buffers of native trees and/or shrubs along the backs of the lots in order to soften the transition from residential use to open space, and to provide additional woody cover for wildlife.

(1.5) *Prepare Educational Brochure.* Prepare a brief educational brochure explaining the ecological value of and potential dangers to project open space preserve areas and distribute it to new homeowners and residents. The brochure

should include recommendations promoting minimal impact on these areas through control of pets and prohibitions on shooting, offroad vehicular travel (including bicycles off main trails), firewood gathering, and collecting or harassing of plants and wildlife.

The measures above would partially offset and significantly reduce the degree of impact associated with open space losses by increasing the native vegetative richness and diversity of those areas of the site to be retained as permanent open space (approximately 66 acres or 50 percent of the site), and by enhancing ecologic values within the developed areas of the site (native plantings, etc.). Nevertheless, although substantially reduced by the measures recommended above, project impacts on undeveloped habitat would remain *significant and unavoidable* with any substantial development of the hillsides and hilltops of this site.

(2) Impacts on Disturbed Grassland. Project impacts on the disturbed grassland community would not be significant, and as a result no mitigation measure is required. Nevertheless, the following measures would mitigate grassland losses as well as erosion and downstream sedimentation impacts [see measure C(3) which follows].

(2.1) *Revegetate.* Replant grassland areas that are cleared during project construction and not actively developed with native species. Plant north-facing hillsides and cut-and-fill areas with bunchgrasses including needlegrass (*Stipa pulchra*), wild rye (*Elymus glaucus*), squirreltail grass (*Sitanion hystrix*), fescue (*Festuca* sp.), melica (*Melica californica*), and perennial herbs including lupine (*Lupinus* sp.), wooly daisy (*Eriophyllum lanatum*), lily (*Lilium* sp.), and sedge (*Carex* sp.). Plant harsher southern exposures with a mix of native and naturalized annuals including brome grasses (*Bromus* sp.), California poppy (*Eschscholzia californica*), fescue (*Festuca* sp.), clover (*Trifolium* sp.), and trefoil (*Lotus* sp.).

(2.2) *Control Erosion and Sedimentation.* Treat areas in need of erosion and sedimentation control with an acceptable hydromix of naturalized species (primarily annual grasses and herbs), mulch and fertilizer. (Proposed by the applicant.)

(3) Impacts on Native Perennial Grassland. To reduce project impacts on undisturbed, perennial grassland habitat to less than significant level, retain three areas identified in Figure 70 as impacted to the fullest extent possible and the site plan should be modified to minimize the amount of perennial grassland to be disturbed at these locations. (EIR author proposed measure.) For those areas that remain disturbed, establish an equal (or greater¹)

¹Proposed by the EIR biologist.

area on fill slopes adjacent to the existing habitat to offset the loss. (Proposed by the applicant.)

(4) Oak Woodland. Proper implementation of all of measures 4.1 and 4.2 below would reduce project impacts on oak woodland to less than significant levels. Implementation of measure 4.3 (avoidance) is preferred to 4.2, wherever possible. Where avoidance is not possible, revegetation as described for measure 4.2 is an acceptable mitigation.¹

(4.1) Redesign the Project Hillside Access Road and Use Crib Walls or Bridges.

Redesign the proposed hillside access road to replace the dual-roadway design with a single-roadway-with-cribwalls or bridges design, as shown in Figure 72 to reduce the amount of cut and fill required for the roadway from the 200,000 cubic yards estimated in section IV.D.2 of this EIR, to approximately 100,000 cubic yards² (see Table 38 in section V of this EIR). Reduce the degree of estimated tree removal for the roadway from 1,081 down to 365 (see Table 33) through the realignment of the road as shown on Figure 72 and through reduced grading. Reduce the estimated tree removal for the residential areas from 714 down to 586 trees through the use of crib walls in the residential areas (as shown on Figure 72). The total tree loss reduction that could be realized from redesign of the hillside access road and use of crib walls as described would be from approximately 1,795 down to 951, a 47 percent reduction. (Proposed by the applicant.)

(4.2) Replace Trees. Replace the trees that are removed with extensive tree planting. Use native oaks, sycamore, bay, buckeye, redwood, and other appropriate species in the replanting program. Plant one-year-old seedlings, at a ratio of at least two-to-one for those removed. Plant these trees in carefully selected sites, and provide them with establishment irrigation, protective screening (small cages), and fertilizer. Submit a detailed planting design to the city for approval under the provisions of the city's *Tree Preservation Ordinance*. (Proposed by the applicant.)

(4.3) Avoidance. Although the DFG acknowledges that the tree replacement proposed by the applicant would reduce the project impact to less than significant levels, the DFG has indicated that avoidance of existing oak woodland would

¹Hunter, CDFG; November 8, 1989.

²The comparative impacts of the proposed dual hillside access road versus a realigned single hillside access road with crib walls or bridges, are described in more detail in section V of this EIR (Project Access), including comparative grading and tree removal impacts. Table 38 in that section summarizes the comparative gradient, grading, and tree removal aspects of various access road design alternatives.

Table 33
PROJECT TREE LOSS IMPACTS WITH AND WITHOUT PROPOSED MITIGATION

Project Component	Existing Trees ^a		Trees Removed with Project without Proposed Mitigation ^b			Trees Removed with Project with Proposed Mitigation		
	Acres	Number	Acres	Number	Percent of Existing	Acres	Number	Percent of Existing
Onsite	14.8	2,079	7.7	1,081	52.0	2.6	365	17.6
Dual hillside access road (lower reaches of the site)								
Residential development areas (upper reaches of the site)	25.5	2,717	6.7	714	26.3	5.5	586	21.6
Subtotals	<u>40.3</u>	<u>4,796</u>	<u>14.4</u>	<u>1,795</u>	<u>37.4</u>	<u>8.1</u>	<u>951</u>	<u>19.8</u>
Offsite								
Peralta Oaks Drive-Foothill Way Extension				13 ^c			13	
Total				1,808			964	

SOURCE: Table prepared by Wagstaff and Associates based on a 100 percent field inventory completed for the applicant by Ralph Osterling Consultants, registered professional foresters (October 18, 1990 memorandum from Ralph Osterling Consultants to Wagstaff and Associates).

^a Actual count, based on a 100 percent onsite inventory of all trees of 4 inches or greater in diameter measured at "breast height" (4.5 feet above natural grade).

^b Estimated count, based on actual counts of trees per acre for upper and lower areas of the project site (approximately 140.5 and 106.5 trees per acre, respectively).

^c Actual count, based on a 100 percent field survey, July 1990; includes all trees over 4 inches in diameter at 4.5 feet above natural grade.

be preferable, and where avoidance is not possible, revegetation is an acceptable mitigation.¹ The avoidance alternative would require major redesign of the project and associated substantial reductions in the total number of project units.²

(4.4) Protection of Remaining Trees. For existing trees that would not be affected by the project, care shall be taken to maintain the remaining trees in as natural a setting as possible, including avoiding unnecessary watering, pruning, etc. These measures shall be undertaken in accordance with the City of Oakland Tree Ordinance (Article 6 of the Subdivision Regulations) and the Wildlife and Vegetation Management Plan included on pages 611 to 614 of the RDEIR.

(5) Sage Scrub. No significant project-related impact has been identified. No mitigation measure is required.

(6) Drainage Courses. Implementation of mitigation measures 6.1 and 6.2 below would reduce project stream loss impacts to less than significant levels. Implementation of measure 6.3 where feasible would further reduce project impacts on drainage course habitats. (It is the policy of the CDFG that a project cause no net loss of either wetland or streambed acreage. The CDFG states that implementation of measure 6.1 would achieve compliance with the Department's no-net-loss policy, and that measure 6.2 is also recommended as a condition of project approval.³)

(6.1) Offset Habitat Loss. Assuming implementation of the measure 4.1 above (the project entrance road redesign and use of cribwalls), it has been determined that approximately 25 percent (7,335 square feet) of the existing onsite drainage area would be filled to accommodate the proposed hillside entrance road and upland residential areas.⁴ To meet the CDFG no-net-loss policy (with the single-access-road-with-crib-walls design, construct 13 in-stream ponds to retain a minimum of 7,000 square feet of ephemeral water surface for varying periods of time during and after rainfalls.⁵ Create the ponds by placing small (less than six-feet tall) dams on various ephemeral drainageways, as shown on Figure 72. Construct the ponds out of local rock and/or soil excavated from just upstream, and thereby create small basins

¹Hunter, CDFG; November 8, 1990.

²Section 21085 of the Environmental Quality Act Guidelines states that the public agency shall not reduce the proposed number of housing units as a mitigation measure or project alternative "if it determines that there is another specific mitigation measure or project alternative that would provide a comparable level of mitigation."

³Hunter, CDFG; November 8, 1990.

⁴Ibid.

⁵Ibid.

that would collect storm runoff and would create small ponds well past the rainy season. Construct these ponds by carefully "walking" construction equipment to the dam sites (i.e., no roads). Make detailed pond locational and structural specifications in coordination with CDFG. (Proposed by the applicant.)

Assuming implementation of measure 4.1 above, Figure 72 indicates that seven of the 13 ponds would also serve as stormwater runoff detention basin components of the project drainage plan (in place of the five ground-level detention basins proposed in the applicant's preliminary drainage plan, as described in section

IV.E.2.b of this EIR). Design these project drainage plan revisions, including the changes in retention pond number and location, in a manner which results in the same or a reduction in the after-development peak flow characteristics described on Figure 61 and in Tables 21 and 22 in section IV.E.2 of this EIR. Also incorporate the measures identified in section IV.E.3 of the EIR to reduce the potential drainage and safety impacts of the proposed detention basins (capacity, maintenance, structural, seismic safety, and child safety impacts) to insignificant levels. Apply these measures to the seven basins shown in Figure 72. In addition, apply to all 13 ponds the measures identified in section IV.E.3 to reduce the child safety impacts of the detention basins to less than significant levels.

In addition to construction of the ponds, the applicant-proposed *mitigation plan* also includes introduction of native plantings around these ponds in the lower drainage areas adjacent to San Leandro Creek to provide wildlife cover and food. Include vegetation species from a CDFG-approved list in the *mitigation plan*. Construct the ponds in the upper drainage areas in the grass and brush covered reaches of these drainage courses. (Proposed by the applicant.)

Design all of the ponds to extend and maintain the period of seasonal water. The ponds would also support the development of willows and other typical riparian species in areas where this habitat-type is currently not located.¹ Plant native species in natural arrays along the downstream reaches of the retained surface channels to enhance their wildlife value. Suitable native species for inclusion in the recommended surface channel and retention basin planting include the following:

Trees:

Fremont cottonwood	<i>Populus fremontii</i>
willows	<i>Salix</i> spp.
sycamore	<i>Platanus racemosa</i>
box-elder	<i>Acer negundo</i>
California walnut	<i>Juglans hindsii</i>
bigleaf maple	<i>Acer macrophyllum</i>
California bay	<i>Umbellularia californica</i>
buckeye	<i>Aesculus californicus</i>
coast redwood	<i>Sequoia sempervirens</i>

Shrubs:

willows	<i>Salix</i> spp.
blackberry	<i>Rubus</i> spp.
wild rose	<i>Rosa californica</i>
spice bush	<i>Calycanthus occidentalis</i>

¹Ralph Osterling Consultants; August 25, 1989.

Provide a replacement water source and food for a variety of birds, and mammals through the pond construction and vegetative enhancement measures.

(6.2) *Avoid Drainage Course Habitat Loss.* While measure 6.1 would comply with the CDFG no-net-loss streambed policy, it is always the preference of the CDFG to avoid streambed impacts where feasible.¹ This preference applies in particular to areas of higher quality drainage course habitat on the project site, such as those drainage course segments which are located in site woodland areas. The CDFG would prefer that changes be made in the project to avoid impacts on creek segments, particularly within the woodland areas.²

There is at least one area where the CDFG believes that project drainage course habitat impacts can be avoided without substantially altering the project. This is an area of proposed fill immediately below retention basin #6 on Figure 72 and near the upper end of the woodland along this drainage. The CDFG believes that this fill can be largely, and possibly entirely avoided by moving or eliminating the eight units and moving the loop road to a slightly higher location in the drainage. Redesign the project to incorporate this change.

(6.3) *Minimizing Drainage Course Undergrounding and Culverting.* Minimize undergrounding (culverting) of creekways and drainage ravines. Wherever possible, divert rerouted drainages into artificially-created surface channels with relatively low gradients, and align these adjacent to permanent open space areas if possible.

(7) Impacts on Existing Cultivated Plantings. No significant impacts have been identified; no mitigation is required.

r (8) Impacts on Notable Habitats. There is a potential for additional serpentine soil to be
r exposed. If serpentine soil is exposed during project construction, implement special
r revegetation techniques to assure adequate stability and restoration of the exposed area.
r (This measure could result in the creation of a new potential habitat for certain sensitive
r species if an area of sufficient size was created. In this case, additional protection
r measures, such as fencing, may be warranted. However, it is more likely that exposed
r subsurface serpentine will not have the soil development or other factors necessary to
r provide viable surface habitat for native vegetation.)

(9) Impacts on Sensitive Plant Species. No significant impacts have been identified; no mitigation is required.

¹Hunter, CDFG; November 8, 1990.

²Ibid.

b. Wildlife Impacts

(1) General Wildlife Declines. The extent of project contribution to cumulative regional declines in wildlife habitat area and project-related declines in wildlife use of the project site itself would be significant impacts. In addition to all of the measures identified under a. above, the following measures would offset and reduce these general wildlife habitat declines:

r (1.1) *Provide Wildlife Undercrossings.* Incorporate wildlife movement corridors and crossings at strategic locations throughout the project site to reduce project wildlife impacts associated with fragmentation of retained, undeveloped open space areas by project roads and residential areas to less than significant levels. The project applicant's proposed *mitigation plan*, which was prepared in consultation with the CDFG, suggests introduction of 24-inch and 54-inch diameter wildlife undercrossings at six onsite locations, including four, evenly-spaced locations along the project hillside access road, and two locations along the segment of the main loop road in the South Subarea (see Figure 72). (Proposed by the applicant.)

r (1.2) *Residential Fencing.* Provide fencing along the rear of project lots that are contiguous to substantial open space areas, as a means of helping control the impacts of domestic pets on open space wildlife activity, as well as keeping unwanted wildlife (e.g., skunks, deer, rabbits) out of the homeowners' gardens. Alternatively, implement measures (1.3) and (1.4) below.

r As an alternative to measure (1.2) above, the following two measures could be required:

r (1.3) *Manage Open Space.* As an alternative to fencing (measure 1.2 above), establish stringent controls on the use of substantial open space areas which are contiguous to project homes, perhaps through use of a conservation easement. Controls should include restrictions on unleashed pets, vegetation removal, offroad vehicle travel, introduced vegetation, etc., in order to minimize adverse human impacts on vegetation and wildlife values.

r (1.4) *Establish and Enforce Leash Requirements.* Also as an alternative to fencing, establish and enforce project leash requirements for pets, in addition to city leash requirements.

(2) Wildlife Impacts on Lake Chabot Golf Course and Surrounding Residential Areas. With implementation of the various vegetative enhancement and water facility measures recommended above under heading a. (Vegetation Impacts), deer and other wildlife that may otherwise leave the site in search of food and water on the golf course or in surrounding residential areas would be more inclined to remain on the project site for foraging and water. Project-related construction period or long-term deer intrusion impacts on the golf course, although described in this EIR as less than significant, could, nevertheless, be mitigated by erection of a temporary construction fence along the northeastern project perimeter to discourage increased deer movement into the golf course. Subsequent completion of the permanent barrier between the project and golf course as identified in section IV.A.1.c of this EIR would discourage deer movement from the project site into the golf course after project completion. Construction of temporary and permanent barriers to the golf course could result in increased deer movement and foraging within existing residential neighborhoods adjacent to the project. It is more likely, however, that deer populations would move farther to the regional parkland to the east.

r (3) San Leandro Creek Wildlife Impacts. Mitigation measures identified in section IV.E.3 (Drainage and Water Quality) of this EIR would reduce project and cumulative sedimentation impacts on San Leandro Creek aquatic life to less than significant levels.

(4) Wildlife Impacts of Special Concern. The presence onsite of a resident population of the threatened Alameda whipsnake or any other known wildlife species of special concern is unlikely. As a result, no mitigation measures are required.

4. PROJECT RELATIONSHIP TO ADOPTED PLANS

a. Oakland Comprehensive Plan

Oakland Comprehensive Plan (OCP) policies relevant to open space and natural resource protection are discussed in the Land Use section of this EIR (IV.A.1). OCP policies pertinent to project vegetation and wildlife impacts, as presented in the portion of the OCP known as the Oakland Policy Plan (OPP), and project relationships to those policies are summarized below. Note that the project is evaluated without mitigation. Mitigation measures identified in this report, if implemented as part of the project, would result in project consistency with the stated policy or closer conformance to it, unless the discussion identifies the impact as significant and unavoidable.

Pertinent Policy:

Urban development wherever it occurs should be related sensitively to the natural setting, with the scale and intensity of development in each case bearing a reasonable relationship to the physical characteristics of the site. (OPP, p. H-1)

In all development and construction in the Hills (those areas located generally along and northeast of Mountain Boulevard) special efforts should be made to conserve open space and natural resources. Every development that occurs here on a site of substantial size should reserve the most appropriate portions as permanent open space, and these should generally add up to a significant proportion of the site. (OPP, p. H-2)

Efforts should be made to perpetuate the full range of plant types and plant communities, and therefore also wildlife variety, found in Oakland. (OPP, p. J-5)

Project Relationship:

The project design would require extensive cut and fill of hillside land (up to 1,000,000 cubic yards), and removal of approximately 1,795 of the site's 4,796 trees to accommodate the proposed residential areas and access road. The project would not be consistent with this policy.

Although the project is located south of the primary area of policy concern, project grading and construction patterns would require the removal of approximately 1,795 of the site's 4,796 trees and the project in general would result in a significant overall loss of habitat area (grassland, woodland, and scrub). As a result, the project would not be consistent with this policy.

The project as proposed would result in the loss of substantial areas of grassland, woodland, sage scrub, and drainage course habitats, and would have a significant adverse impact on wildlife variety found in Oakland.

- Maximum roadway gradients would be reduced to 15 percent; average roadway gradients would be increased slightly to 13.6 percent;
 - The amount of overall acreage disturbed by construction would be reduced by approximately 54 percent;
 - The volume of cut and fill would be reduced by approximately 50 percent; and
 - The degree of road-related tree removal would be reduced by approximately 66 percent.
- r ■ The design would be finalized to exclude unnatural appearing drainage terraces.

Figure 77 also indicates that the degree of exposed cut-and-fill slope area would also be significantly reduced.

5. Single Roadway with Bridges

A fifth possible roadway design alternative would be to incorporate reinforced concrete bridge structures in the single roadway design to span the four hillside draws that would be traversed by the hillside access road, thereby reducing grading and related slope stability and visual impact concerns. As shown in Table 38, the comparative impacts of this approach would be similar to those described for alternative 4, with the following differences:

- Cut-and-fill volumes would be reduced by approximately 60 percent instead of 50 percent;
- r ■ Drainage terraces could be eliminated;
- Road-related tree removal needs would be reduced by approximately 71 percent instead of 66 percent; and
- The average roadway gradient would be reduced to 12.9 percent (vs. 13.6 percent).

r However, the access constructed with bridges could not easily incorporate the
r recommended drainage mitigation (e.g., retention ponds within the swales above the access
r road). This design would also have significantly higher construction costs.

6. Conclusion

The single hillside road with crib walls or the single hillside road with bridges appear to be the two most preferable design choices for the hillside access road.

E. GOLF LINKS ROAD CONNECTION

The following EIR findings are relevant to consideration of whether an emergency-only or through-collector connection should be required between the project road system and Golf Links Road via Oakland (Lake Chabot) Municipal Golf Course.

1. Oakland Comprehensive Plan

The Oakland Comprehensive Plan Circulation Element, adopted by the City Council in June 1974, includes a list of "Needed Major Street Improvements, 1973-1985." Ten new streets were listed for construction. The Foothill Way-to-Golf Links Road connection was not included on this list. However, the amended version of the Oakland Comprehensive Plan, which was adopted by the Oakland City Council in September of 1980, and includes the *1985 Trafficways Map*, does show a schematic collector road connection between Foothill Way and Golf Links Road, via the project site and the golf course.

2. General Transportation Benefits of a Through Connection

The EIR traffic analysis completed for the project by TJKM indicates that the existing local street system serving the upland residential areas in the Golf Links Road, Grass Valley Road, Skyline Boulevard, Knowland State Park, Lake Chabot Golf Course vicinity has adequate capacity to handle existing traffic volumes. Since these areas are largely built out, the likelihood of extensive additional residential development and associated significant traffic increases is low. Thus, it appears that the principal areawide benefit envisioned in proposing the additional east-west collector connection between Foothill Way and Golf Links Road would be provision of an alternative, more convenient and direct access between these existing upland residential areas and the I-580/MacArthur Boulevard/San Leandro area below.

The principal project-related benefits of the Golf Links Road connection would be improved police patrolling access and emergency response capability, and improved alternative fire protection response, through provision of two separate access points rather than one. A second significant benefit would be a decreased potential for total access blockage during emergency situations (e.g. major earthquakes, severe storms, or wildfires). The connection would also provide project residents with direct, convenient access to the Oakland (Lake Chabot) Municipal Golf Course and Grass Valley Elementary School, and to other school and recreational facilities to the northeast. In addition, the connection could provide the needed additional market incentive to re-open the existing neighborhood shopping center complex at the Golf Links Road/Grass Valley Road intersection.

3. General Adverse Impacts

The dedication of Dunsmuir Heights Road as a through-collector would create a shorter, more direct travel link between the Golf Links-Grass Valley Road area and I-580, especially for trucks headed downhill and for motorists headed toward the MacArthur Boulevard area and the San Leandro BART Station on San Leandro Boulevard near Davis Street. Such roadway use would decrease traffic volumes on lower Golf Links Road by about 8 percent, would increase traffic volumes on Dunsmuir Heights Road within the project by approximately 20 percent, and would increase associated noise and air pollutant levels in project residential areas along Dunsmuir Heights Road.

traffic on Dunsmuir Heights Road would be a decrease of approximately 880 ADT on Golf Links Road.

As shown in Table 39, the through collector street would not be expected to have significant adverse impacts on operational characteristics (LOS) at local area intersections. The through connection would slightly increase traffic volumes at the Peralta Oaks Drive-Foothill Way/Dunsmuir Heights Road, Foothill Way/Revere Avenue, Foothill Way/Marlow Drive, and MacArthur Boulevard/Dutton Avenue intersections. The connection would slightly reduce traffic volumes at the Golf Links/Mountain Boulevard and Golf Links/98th Avenue intersections. However, there would be no changes in intersection level of service ratings at these intersections.

6. Golf Links Road Through Connection Alternatives

a. Emergency-Only Golf Course Route. An alternative access solution that would mitigate potential through-access road impacts on the golf course would be to limit the project road system connection to Golf Links Road to an emergency-only facility. Such a connection could be achieved with a narrower right-of-way (30 feet) and without the need for protective screening. The route could follow the same alignment suggested on Figure 79 for the through-collector connection, or could use the current golf course service road through an agreement between the developer and the city. These alternatives would be acceptable only if they could satisfy the requirements of the city's Police and Fire Departments. If the Police and Fire Department determine that the emergency route must be ungated, then associated security and vandalism impacts would be unavoidable.

Note: As mentioned earlier in this EIR under Historical Background (section III.G.1), the 600-unit PUD permit for the project site that was approved by the Oakland City Council in August 1970¹ included the condition that the project include an emergency-only access road connection to the existing service road in the Oakland (Lake Chabot) Municipal Golf Course.

b. Turner Avenue Connection. Instead of routing the through street across golf course property, the street could hypothetically be routed toward existing streets in the Chabot Park Highlands neighborhood. Given local topographic limitations, the most suitable street for such a connection to the project would be Turner Avenue, located approximately 1/4 mile from the northernmost corner of the site (see Figure 75). To achieve the through collector function suggested by the general plan *Trafficways Map*, the city would have to acquire those portions of the Chabot Park Highlands street system that are currently privately-owned. The city would also have to acquire portions of privately owned land between the project site and Turner Avenue.

¹Oakland City Council Resolution 54894 C.M.S.

This connection alternative would also require substantial cut-and-fill of northwest-facing hillsides and associated removal of additional existing oak woodland. The resultant graded slopes along the through collector would be highly visible from vantage points west and north of the roadway. Also, the necessary public-dedication of streets that are presently privately owned would increase city road maintenance needs and expenses.

In addition, the estimated daily traffic on the through street (approximately 1,470 ADT) would have significant noise impacts on adjacent residential frontages, as well as "neighborhood quality"¹ impacts on Chabot Park Highlands homes that would front on the through collector. Further, although extensive redesign of the golf course would be avoided by routing the through street toward Turner Avenue, some redesign of the 14th fairway would still be necessary for this Turner Avenue connection. In summary, approval of a route through Chabot Park Highlands would have greater adverse impact potentials than a route through a portion of the golf course.

r 7. Golf Links Road Only Connection

r If the Dunsmuir Heights development had its main entrance off of Golf Links Road through
r the Lake Chabot Golf Course, Golf Links Road and Malcolm Avenue would serve as the
r principal ingress and egress choices for the project. The most convenient route would be
r Golf Links Road, since it has been observed that residents who live near the top of
r Malcolm Avenue use Golf Links Road as an outlet rather than Malcolm Avenue. Golf Links
r Road has an approximate reserve capacity of 2,700 vehicles per day before its operational
r design capacity would be exceeded. The Dunsmuir Heights development is expected to
r generate approximately 4,800 vehicles per day. Thus, if the proposed 507-unit project
r has its only entrance off of Golf Links Road near the Lake Chabot Golf Course, the
r operational capacity of Golf Links Road would eventually be exceeded.

r A reduced project of 253 units would generate approximately 2,400 vehicles per day. If a
r reduced project of 253 units at Dunsmuir Heights had its only entrance off of Golf Links
r Road near the Lake Chabot Golf Course, the operational capacity of Golf Links Road would
r not be exceeded.

r The Golf-Links-Road-only alternative would not be consistent with the OCP Trafficways Map
r which calls for a through connection between Golf Links Road and Foothill Way.

¹The estimated traffic volume with the through street routing would have potential adverse effects on the safety and comfort of various human activities such as walking, cycling, and playing on or near the street, the freedom to maneuver personal autos in and out of residential driveways, etc.

A. NO PROJECT

1. Principal Characteristics

- r a. Status Quo. The "no project" alternative would involve maintaining the existing characteristics of the site without any construction or other development actions as a result of this project. The 132-acre site would remain undeveloped, private open space. Current city general plan and zoning designations for the site would remain unchanged. The Oakland Comprehensive Plan designation for the site would remain as *Suburban Residential*. Existing zoning district designations would also remain unchanged. (Approximately 129.8 acres of the 132-acre site is designated in the city's zoning ordinance as *R-30: One-Family Residential*. About 2.2 acres of the North Subarea is designated in the city's zoning ordinance as *R-10: Estate Residential*.)
- r b. Open Space Acquisition. A variation of the "no project" alternative would be to acquire
r the site as permanent open space, using some combination of funds, which might include
r proceeds from Measure K (see page 126). No specific open space lands are identified in
r the measure. However, the project site has been cited in public discussion as one of the
r sites that could be acquired with Measure K funds.

2. Mitigating Effects

This alternative would retain the site's current undeveloped, open space characteristics and would retain related opportunities for acquisition of all or a portion of the site as permanent open space. This alternative would also preserve the site's stature as visually undisturbed ridgeline, visible from I-580, Sheffield Village, the Dutton-Bancroft area, the Bay-O-Vista neighborhood, Anthony Chabot Regional Park (Lake Chabot), and urban areas east of I-580. It would also preserve the vegetative and wildlife habitat values of the site's 132 acres, including the oak woodland, perennial grassland, and riparian values identified in this EIR, as well as the overall value of the undeveloped site as a wildlife foraging area.

- r In addition, this alternative would either temporarily (variation a) or permanently (variation b) avoid the various significant land use, transportation, geotechnical, drainage, water quality, noise, municipal services, and air quality impacts identified in this EIR.

3. Adverse Factors

- This alternative would not add, as a part of this project, up to 507 housing units to the City of Oakland and Alameda County housing stock over the next decade in the variety of single-family and townhouse types, sizes, and prices proposed. (The 507-unit project total represents approximately 5.6 percent of the ABAG-projected need for nearly 9,000
r additional housing units in the city between 1988 and 1995.) However, under variation a
r above, the site would remain available for a future development proposal.

B. SITE PLAN SIMILAR TO PROJECT, BUT WITH THROUGH ACCESS--507 UNITS

1. Principal Characteristics

This alternative would include the same site plan and residential unit total as proposed by the applicant and illustrated on Figure 7 earlier in this EIR, but with the addition of a through collector road connection to Golf Links Road via a "north edge" alignment through the Oakland (Lake Chabot) Municipal Golf Course, as diagrammed on Figure 80. Under this scheme, the project access route, Dunsmuir Heights Road, would become a publicly dedicated through-access connection between the new Peralta Oaks Drive-Foothill Way collector and Golf Links Road to the east. The added through route would also supplement the proposed emergency-only, gated access connection to the project at Cranford Way with another, less restricted project access point. This through access connection would traverse the north edge of the golf course, as shown on Figure 80, to provide the connection to Golf Links Road.

2. Mitigating Effects

Provision of the through collector connection to Golf Links Road would be consistent with the east-west collector street designated in the project vicinity on the Oakland Policy Plan 1985 Trafficways Map. The through connection would significantly improve project police and fire protection service by increasing response times, providing unrestricted patrol access, and decreasing potentials for access blockage during emergency situations to the west (e.g. a major earthquake along the Hayward fault, a landslide, wildfire, etc.). In addition, the collector would provide project residents with direct, convenient access to Grass Valley Elementary School and Skyline High School, alternative access to Marshall Elementary School, and access to the golf course and other recreational facilities to the north and east.

The traffic flow benefits of the through collector road connection to Golf Links Road are described in section V.E.2 of this EIR (PROJECT ACCESS, Golf Links Connection, Transportation Benefits). In summary, the local roadway system serving the upland neighborhoods north and northeast of the project has adequate existing capacity, and the likelihood of substantial additional traffic generation from these areas is low (these areas are mostly built out). Thus, the principal areawide benefit of the added east-west collector route through the project would be the provision of a more convenient and direct connection between these upland neighborhoods and the I-580/MacArthur Boulevard area and the San Leandro BART Station below. As shown on Figure 75 in section V, this through connection would also reduce traffic volumes on Golf Links Road by approximately 8 percent and would reduce east-west traffic flows through the Golf Links Road/Mountain Boulevard and Golf Links Road/98th Avenue intersections.

2. Mitigating Effects

The through collector connection of Dunsmuir Heights Road to Golf Links Road would provide all of the traffic flow and emergency service benefits described for Alternative B above. In addition, the added provision of the single hillside access road design with crib-wall retainment would provide all of the mitigation benefits described earlier in section V.D.4 of this EIR (see Figure 72), including reduced road gradients, reduced overall land disturbance, reduced cut-and-fill volume (approximately 50 percent), reduced tree removal (approximately 47 percent), and a substantial reduction in visual impact due to the grading and tree loss reductions and a lower roadway alignment. (The roadway would still result in a significant visual impact, however.)

The other added vegetation and wildlife mitigation measures would also have substantial mitigating effects, as described in section IV.H.3 of this EIR. These measures, in combination with the access road redesign, would reduce project impacts on oak woodland, riparian, and perennial grasslands to less than significant levels. (The project as a whole would still result in a significant decline in overall natural habitat values, however.)

In addition, the "horseshoe" alignment of the roadway connection through the golf course would be more compatible with the rolling topography of the golf course (the straight, "north edge" alignment described for Alternative B would be comparatively impractical due to topographic constraints at the northeast end of the road near Golf Links Road), and unlike the "north edge" alignment, could be designed to meet city roadway gradient standards for public streets.

3. Adverse Impacts

r Construction of the through-route through the golf course would have all of the adverse impact implications for the golf course and the project as described above for Alternative B. In addition, the "horseshoe" alignment, although preferable to the "north edge" alignment from an engineering standpoint, would require further narrowing, shortening and disruption of various golf course fairways and greens (the 5th, 12th, 13th, and 14th holes would be affected), would create conflicts between vehicular movements and golf play, and would require relocation and redesign of golf course entrance controls (gates, fences, etc.). These adverse impacts on the golf course are described in more detail in section V.E.4 of this EIR.

With the exception of the minor traffic flow and access benefits described above, this alternative would have the same traffic, noise, drainage, municipal service, and air quality impacts as the proposed 507-unit scheme. Since the residential development area configuration would remain nearly the same as the applicant-proposed configuration, the same significant adverse visual impacts on offsite urban vantage points to the west and southwest, and on Lake Chabot vantage points to the southeast, would occur with this alternative.

Also, the hillside roadway, although substantially improved, would still have a significant adverse visual impact on vantage points to the west, southwest, and southeast (Lake Chabot), and the project as a whole would still result in a significant decline in overall natural habitat range.

D. REVISED SITE PLAN WITH PARTIAL RESIDENTIAL AREA REDUCTION, THROUGH ACCESS, REDESIGNED HILLSIDE ACCESS ROAD, AND OTHER MITIGATIONS--307 TO 340 UNITS

1. Principal Characteristics

This alternative would be similar to Alternative C with respect to Dunsmuir Heights Road design characteristics; i.e., the scheme would include the "horseshoe" through connection to Golf Links Road, and the single-roadway-with-crib-walls hillside access road design. In addition, this scheme would also incorporate a redesign of the project's residential development area to incorporate the "partial development area reduction" mitigation alternative described in the Visual Factors section of this EIR (IV.B.3) in order to reduce project residential area visual impacts on urban areas to the west and southwest, and on Lake Chabot views to the southeast. Specifically, this alternative would incorporate mitigation measures **(1-b)** and **(2-b)** from section IV.B.3. These measures include a partial reduction in development in those specific project site subareas identified in section IV.B.2 as visible from offsite vantage points to the west, southwest, and southeast. The reductions would take the form of elimination of all residential units above the 550-foot contour, and reductions in residential density in the remaining portions of those specified subareas. This measure would reduce the overall project unit yield down to approximately **340 units**. The additional suggested step of reducing densities in subareas A, B, and C from 8 down to 6 units per development area acre, and relocating the higher mass six- and eight-plex townhouse structures away from the exposed peripheral edges of these three subareas, measure **(1-d)** and **(2-d)** in section IV.B.3, would further reduce the visual impacts of the project; and would result in a development yield of approximately **304 units**.

2. Mitigating Effects

This alternative would provide all of the mitigation benefits associated with the through connection to Golf Links Road and the single-road-with-crib-wall hillside access road design, as described for Alternative C. This alternative would also provide the following additional mitigating benefits:

- the design would be more consistent with Oakland Policy Plan (OPP) and Oakland Comprehensive Plan (OCP) hillside and natural resource protection policies;
- the visual impacts of the project on urban vantage points to the west and southwest (I-

would be reduced to approximately 1.32 units per acre from the currently proposed 3.84 dwelling units per acre.

Through possible land transfers associated with the road connection through the golf course, the golf course might be redesigned to extend into the project site, increasing project amenities and the value of the project homes.

2. Mitigating Effects

This alternative would have mitigating effects similar to the previous mitigated site plan. Development with only single-family detached homes could increase project consistency with city policies calling for limitations on hillside and hilltop development. The additional reduction in project units would further reduce project-related traffic, municipal service, noise, and air quality impacts.

3. Adverse Effects

This alternative would have adverse effects similar to the previous mitigated site plan. In addition, this alternative would be substantially less responsive to ABAG-identified Oakland and Alameda County housing needs. Moreover, the additional decrease in development yield under this single-family detached plan, in combination with the high costs of preparing the upper areas for residential development and providing road access, sewer, and water to the development areas, would preclude a wide range in home selling prices, and thus would not meet the basic project objectives described in section III.B of this EIR.

H. ALTERNATIVE SITES

Because there are unavoidable adverse environmental impacts that would result from development of the project on the proposed site, this EIR includes the following evaluation of possible alternative sites for the proposed project. In Citizens of Goleta v. Board of Supervisors of Santa Barbara the court stated that an EIR need only consider reasonably feasible alternatives. The court identified circumstances where project alternatives are reasonable and should be analyzed. This included sites where the developer owns or controls the alternative sites, has the ability to purchase or lease them, has access to them, or is competing with other developers seeking approval for the same development in different locations.

- r For each identified site alternative possibility, the discussion below first addresses the site's ability to feasibly attain the basic project objectives.¹ Secondly, where it is determined that the alternative site can, to a reasonable degree, attain the basic project objectives, the comparative impact implications of a similar residential development on the alternative site
- r are also described. The discussion also indicates the probability of the applicant being able
- r to obtain the site.

The basic objectives of the project, for purposes of this alternative sites analysis, are as follows (from section III.B of this EIR):

¹CEQA Section 15126(d) states that an EIR should "describe a range of reasonable alternatives to a project, or to the location of the project, which could feasibly attain the basic objectives of the project."

**REVISED
APPENDIX C:**

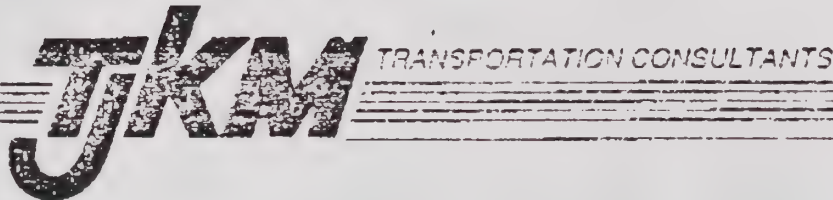
SUPPLEMENTAL TRAFFIC DATA

- (1) I-580 On-/Offramp Volumes
- (2) Estudillo Avenue/MacArthur Boulevard Intersection Mitigation Needs (TJKM; March 13, 1991)
- (3) Traffic Impacts with Elimination of the Peralta Oaks Drive-Foothill Way Extension (TJKM; August 13, 1991)

TABLE I
I-580 ON-/OFF-RAMP VOLUMES

<u>Traffic Scenario</u>		<u>Southbound Off-Ramp To 106th Ave.</u>	<u>Southbound Off-Ramp To MacArthur Blvd.</u>	<u>Northbound On-Ramp From Foothill Blvd.</u>	<u>Northbound Off-Ramp To Joaquin Ave.</u>	<u>Southbound On-Ramp From Grand Ave.</u>	<u>Southbound On-Ramp From Grand Ave.¹</u>
Existing	A.M.	380	360	260	400	330	330
	P.M.	475	610	225	510	610	610
Existing + Project	A.M.	398	377	380	416	435	330
	P.M.	537	672	293	566	670	610
Existing + Project + Cumulative	A.M.	398	387	380	430	477	372
	P.M.	537	710	293	616	694	634

¹ With mitigation at Foothill Boulevard/MacArthur Boulevard/Superior Avenue



March 13, 1991

City of Oakland
Planning Department
1330 Broadway, Suite 310
Oakland, CA 94612

Atten: Stan Muraoka

Subject: Dunsmuir Heights: The intersection of Estudillo Avenue at
MacArthur Boulevard

At the request of John Wagstaff requested, we have addressed the future need for mitigation at the Estudillo Avenue/MacArthur Boulevard intersection. The following is a summary of the intersection conditions as determined under the various existing and future traffic scenarios. These conditions were originally presented in TJKM's report entitled *Traffic Impact Study of the Dunsmuir Heights Residential Project in the City of Oakland* dated March 1988 and recently updated in the January 1991 *Revised Draft EIR* by Wagstaff and Associates.

It should be noted that the existing lane configuration of this intersection, as shown in the past reports, has since changed. The southbound approach consists of a shared through/right-turn lane, and exclusive through lane and an exclusive left-turn lane. We have incorporated this change so that the following summary is an up-dated version of conditions at this intersection:

Existing Conditions

Existing turning movements were counted during the a.m. and p.m. peak hours in 1988. An updated count was made in 1990 during the p.m. peak hour only. Intersection capacity analysis results based on the critical lane method are presented for both count years in the attached volume-to-capacity calculation sheets and as summarized below:

	<u>A.M. Peak</u>		<u>P.M. Peak</u>	
	<u>V/C</u>	<u>LOS</u>	<u>V/C</u>	<u>LOS</u>
1988 Base Counts	0.50	A	0.77	C
1990 Base Counts			0.65	B

Stan Muraoka

-2-

March 13, 1991

Existing plus Project Conditions

Under this scenario with added project traffic, the conditions would be:

	<u>A.M. Peak</u>		<u>P.M. Peak</u>	
	<u>V/C</u>	<u>LOS</u>	<u>V/C</u>	<u>LOS</u>
1988 Base Counts	0.55	A	0.83	D
1990 Base Counts			0.73	C

Existing Plus Project Plus Cumulative Conditions

With cumulative traffic added, the intersection would reach:

	<u>A.M. Peak</u>		<u>P.M. Peak</u>	
	<u>V/C</u>	<u>LOS</u>	<u>V/C</u>	<u>LOS</u>
1988 Base Counts	0.58	A	0.86	D
1990 Base Counts			0.76	C

Build-Out Conditions

Projections under full build-out conditions were submitted by the City of San Leandro under this scenario for the p.m. peak hour only. These volumes were modified to include the traffic diversion generated by the mitigations at the Foothill Boulevard/MacArthur Boulevard/Superior intersection. The operating conditions are as follows:

	<u>A.M. Peak</u>		<u>P.M. Peak</u>	
	<u>V/C</u>	<u>LOS</u>	<u>V/C</u>	<u>LOS</u>
1988 Base Counts			0.93	E

This is the only scenario under which operations at the intersection would become unacceptable. Mitigation is proposed as follows:

Mitigation

It is recommended that the eastbound approach on Estudillo Avenue be increased from two to three lanes by widening the road on the south side of Estudillo Avenue. The proposed mitigation is shown in the attached figure. The sidewalk and parking lot of the adjacent property would need to be set back to accommodate a 100-foot right-turn storage lane with a 60-foot taper. The additional eastbound right-turn lane would improve intersection operations to the following:

	<u>A.M. Peak</u>		<u>P.M. Peak</u>	
	<u>V/C</u>	<u>LOS</u>	<u>V/C</u>	<u>LOS</u>
1988 Base Counts			0.90	D

It should be noted that this mitigation was a recommended improvement to the intersection by City of San Leandro staff in the document, *Master Plan of City Streets*, February 9, 1988. As stated in the document, "It might be possible to provide an eastbound right turn lane at MacArthur with minimum loss of access and parking to the shopping center. This pursuit of the third alternative (the eastbound right turn lane) is recommended." As shown in the figure, the mitigation would displace approximately four to five parking stalls. TJKM has had preliminary discussions with the City of San Leandro traffic engineering staff on the proposed alignment shown in the attached figure. Based on these discussions, the proposed alignment would be acceptable.

Comments

As requested, we have examined the appropriateness of this mitigation. As shown by the intersection analysis above, the addition of the eastbound right-turn lane would not be warranted to improve the intersection level of service until build-out traffic conditions are reached.

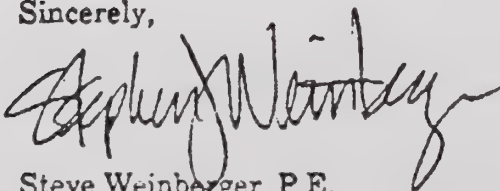
However, an analysis was completed on the design capacity of the roadway segments between intersections. The results for Estudillo Avenue are summarized in the RDEIR on page 240. This analysis indicated that the existing eastbound traffic of 815 vehicles per hour already exceeds the design capacity of 650 to 750 vehicles per hour per lane on this two-lane route. It is our opinion that the additional eastbound lane at the intersection would enhance the capacity of the eastbound Estudillo Avenue approach. Therefore, making the additional lane an appropriate mitigation.

Other Right-of-Way Requirements

Additional right-of-way would be required for mitigations at the intersections of Peralta Oaks Drive/106th Avenue and MacArthur Boulevard/Foothill Boulevard/Superior Avenue. These mitigations are illustrated on pages 270 and 271 of the RDEIR.

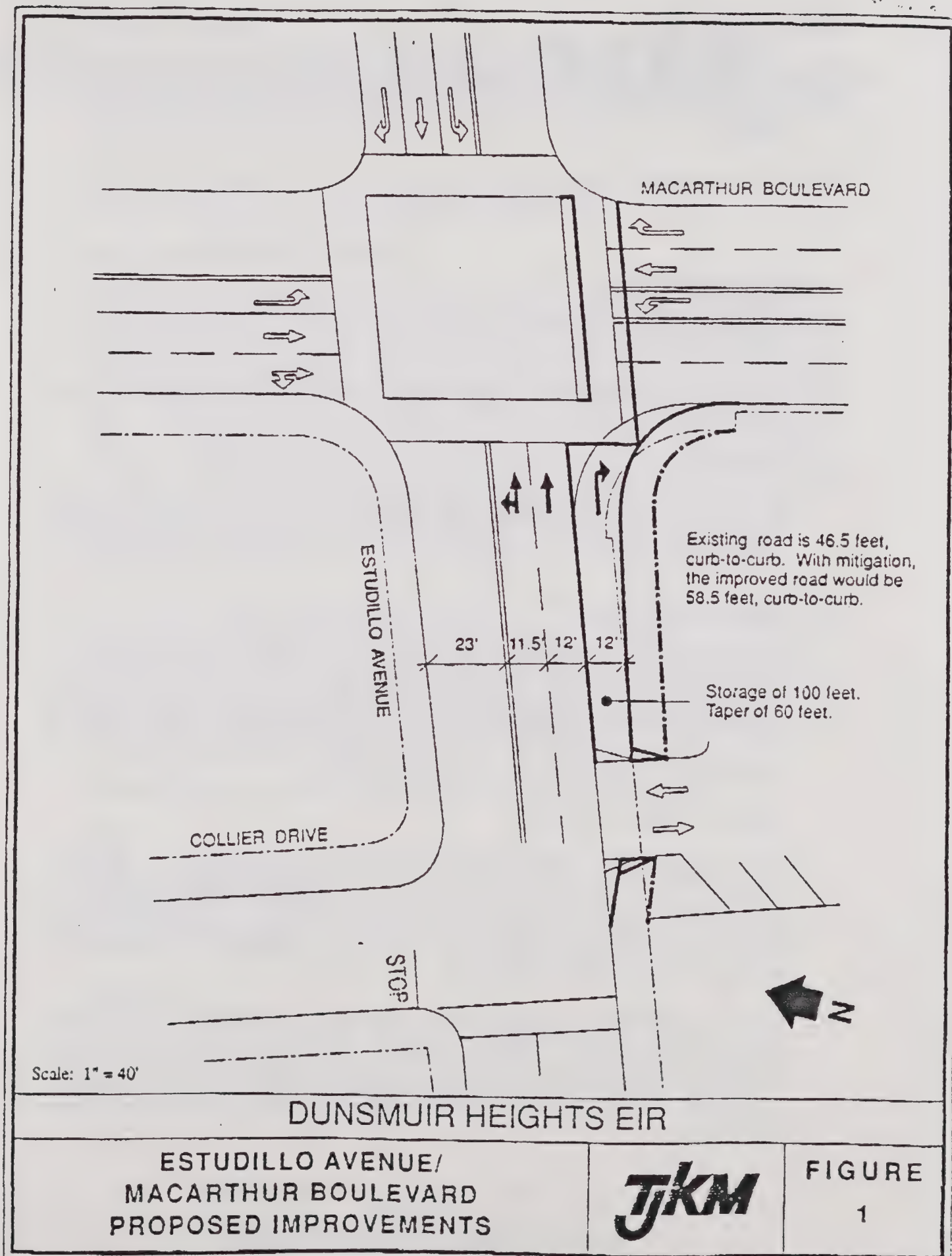
I hope this information is helpful. If you have any questions, please give me a call.

Sincerely,



Steve Weinberger, P.E.
Senior Traffic Engineer

rh
Attachment
10-017L.28W





August 13, 1991

Mr. John Wagstaff
Wagstaff and Associates
2550 Ninth Street, Suite 205
Berkeley, CA 94710

Re: Dunsmuir Heights EIR: Elimination of Peralta Oaks Drive/Foothill Way Connection

Dear John:

As requested, we have evaluated the impacts of the Dunsmuir Heights project without the Peralta Oaks Drive/Foothill Way connection. A supplemental analysis was conducted which determined the impacts of this circulation modification on the study intersections.

Total Trip Diversion

Approximately 30 a.m. peak hour trips, 76 p.m. peak hour trips, and 630 daily trips generated by the Dunsmuir Heights project were projected to utilize the Peralta Oaks Drive/Foothill Way connection. This traffic represents approximately 15 percent of the total trip generation of the Dunsmuir Heights project. Without the Peralta Oaks Drive/Foothill Way connection, these trips would access the project via MacArthur Boulevard/Dutton Avenue to Foothill Way.

Study Intersection Impacts

With the diversion of project traffic, the study intersection of MacArthur Boulevard/Foothill Boulevard/Superior Avenue would continue to operate with a Level of Service A during the a.m. peak hour and a Level of Service B during the p.m. peak hour under the Existing Plus Project Plus Cumulative conditions. These conditions assume the mitigations which would allow the for safe U-turns or the "jug handle" movement with a traffic signal.

With the diversion of project traffic, the study intersection of MacArthur Boulevard/Dutton Avenue would continue to operate with a Level of Service A during the a.m. peak hour and a Level of Service B during the p.m. peak hour under the Existing Plus Project Plus Cumulative conditions. These conditions assume the mitigations at the MacArthur Boulevard/Foothill Boulevard/Superior Avenue intersection.

With the diversion of project traffic, the study intersections of Foothill Way/I-580 WB on-ramp, Foothill Way/Revere Avenue, and Foothill Way/Marlow Drive would continue to operate at Level of Service A conditions under the Existing Plus Project Plus Cumulative conditions.

The traffic conditions at the remaining study intersections and roadways would remain as described in previous reports and correspondence.

Additional Mitigation Measures

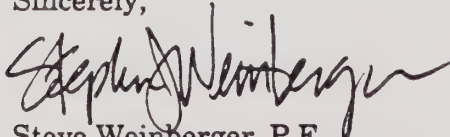
Although additional mitigation measures without the Peralta Oaks Drive/Foothill Way connection are not indicated by the level of service analysis, the additional southbound left turn traffic at the MacArthur Boulevard/Dutton Avenue intersection may indicate the need for a exclusive turn lane. Under existing conditions, there is a southbound left turn volume of approximately 71 vehicles during the p.m. peak hour. With the addition of the Dunsmuir Heights project traffic, cumulative traffic and the mitigations at the MacArthur Boulevard/Foothill Boulevard/Superior Avenue intersection, the volume will increase to approximately 320 vehicles during the p.m. peak hour. In order to increase the safety and protection of this increased left turn volume, it may be beneficial to provide an exclusive southbound left turn lane. This restriping could take place within the existing curb-to-curb paved area.

Summary

The elimination of the Peralta Oaks Drive/Foothill Way connection will result in a diversion of Dunsmuir Heights project traffic through the MacArthur Boulevard/Dutton Avenue intersection. The traffic diversion will not significantly impact the study intersections and roadways. However, it may be beneficial to stripe a separate southbound left turn lane on MacArthur Boulevard at Dutton Avenue for traffic safety purposes. This restriping could take place within the existing curb-to-curb paved area.

Please call if you have any questions regarding this additional analysis.

Sincerely,



Steve Weinberger, P.E.
Senior Traffic Engineer

SJW/
10-017L.31W

**REVISED
APPENDIX E:**

**LETTER FROM W. BRYCE CONNICK, PRINCIPAL, W. BRYCE CONNICK
CONSULTANTS, INC., TO ROBERT GOLDMAN, ANGUS McDONALD &
ASSOCIATES; MAY 8, 1991**



W. BRYCE CONNICK Consultants, Inc.

W. Bryce Connick, President

Serving Governments & the Private Sector

49 Temelec Circle
Sonoma, California 95476

Phone & FAX 707 / 935-9087

May 8, 1991

Robert Goldman
c/o Angus McDonald & Associates
1950 Addison Street
Berkeley, CA 94704-1102

Re: Response (mitigation) to impacts identified in
letter from Oakland Fire Department Chief dated
November 1, 1990.

Dear Mr. Goldman:

I have carefully reviewed the revised Draft Environmental Impact Report on the proposed Dunsmuir Heights project and the letter from Oakland Fire Chief Godwin G. Taylor dated November 1, 1990. Chief Taylor's concerns are quoted below for easy reference:

"This project significantly impacts fire protection in East Oakland as follows:

1. The four minute response time goal to the Dunsmuir Heights Project cannot be met with current fire station coverage.
2. Proposed Access routes do not provide a reliable alternate route into the project in the event of a major earthquake on the Hayward Fault.
3. Six- and eight-plex townhouse units raise special life safety issues, posed by possible deadend units and up or down slope configuration."

"Based on these concerns, we feel the following provisions are necessary to mitigate the impact of this project.

1. Reopen and staff Station 17.
2. Provide access to the project from Golf Links Road.

3. Wood shake roofs not be used.
4. Development of a fuel management plan using fire resistive landscaping.
5. Residential sprinkler systems in all units."

His first concern, the 4 minute response time, presumably applicable to the engine company that is normally scheduled to arrive at the emergency location first, is a reflection of a Fire Department goal and differs from the key objective of 3 to 5 minute average response times that are expressed in the officially adopted 1989-90 City budget. He proposes as a mitigation that a fire station that is closed, Station No. 17 at 4615 Grass Valley Road, be reopened to accommodate this project. The cost of opening and staffing Station 17 with 4 persons on-duty 24 hours per day is estimated to approach and may exceed \$ 1,100,000 per year at present labor rates.

After careful review it is my opinion that reinstatement of this closed fire station is not justified by the development proposed for the subject property. I believe that the development as is proposed will not significantly increase the emergency response workload of the Oakland Fire Department, nor will it present any unusually difficult fire suppression problems. The reasons for these conclusions are:

1. The fire and emergency response activity that will be generated by the development can be absorbed within the existing capacity of the fire department. Access to the site is within 1.5 miles response travel distance from Oakland Fire Station No.26 located at 2660 98th Avenue. This distance is recognized as satisfactory for built up residential districts by current fire insurance rating criteria.
2. The 296 structures proposed for the project will be constructed in accordance with the requirements of the building codes and property improvement standards that are in effect. Modern housing stock does not produce the same number or magnitude of fires and other emergencies as is experienced in older sections of cities. Fire records in California cities clearly indicate that fire experience in newer neighborhoods developed since 1940 is far below the national average experience for fires in residential occupancies.

3. Station 17 was closed in order to achieve operating economies with the least adverse impact on the fire safety of Oakland citizens and properties. It must be assumed that closure of the station has not resulted in significant increases in loss experience either within the primary response area or in the City overall; otherwise the closure would have been politically unacceptable. Thus reinstatement of Station 17 will increase the cost of fire department operations without a corresponding improvement in loss experience although a small segment of the Oakland community located in the immediate vicinity would enjoy a reduced emergency response travel time.
4. No single fire company operates independently in a well organized fire department. Normally at least 2 engine companies and a ladder company are assigned to reported fires in buildings in cities, and the entire fire force may be used to control a single serious fire. Therefore each fire company benefits the entire city. Also the availability of fire companies for response is very high, greater than 95% in most cases. In other words, there is a 5% chance that the closest fire company may not be available for response at any given time, in which case response is made by the next closest company.

The Chief's second concern, is the lack of an alternative access route into the project site. He proposes that a secondary access be provided from Golf Links Road as a mitigation. I presume that this mitigation assumes the reinstatement of Station No. 17. The probability of a seismic event should be a consideration in the design of primary and secondary access. I believe that the access issue is partially mitigated by applicable construction standards. The site access does not warrant the addition of a fire company in my opinion although I concur with the opinion that a secondary access is desirable.

Chief Taylor's third concern is for the safety of life in the 6 and 8 unit residential structures. He suggests installation of automatic sprinklers as one mitigation.

Probably the most difficult aspect of fire protection for the public to understand is the fundamental difference between protection of life and protection of property from fire. Public comprehension is further complicated by the fact that fire department response and fire attack appear the same whether the fire fighting involves primarily life saving or property protection. Protection of life,

however, differs in a few important respects from the protection of property, and this should be understood before the role of the fire department can be evaluated.

There have been many fires where property damage has been relatively low, but where several lives have been lost and where many injuries have occurred. When discovery of a fire is delayed, response of the fire department may not be a factor in protecting people from the effects of heat and smoke. The basic principles of protection of life from fire are (1) prompt fire detection, (2) notification of occupants, and (3) adequate exit facilities. If sufficient attention is given to these fundamentals of building construction, fire department activities can be directed to property protection; rescue activities take on a minor role due only to unusual circumstances where individual people become confused and trapped.

Adequate safety of life from fire must be part of the building structure in the form of fire detection and alarm systems, stairways and exit corridors. Properly installed, these facilities should be adequate to assure a low level of loss of life due to fire. Enforcement will provide reasonably safe conditions for all new buildings. Provisions of Ordinances require that the basic provisions of Chapter 33 of the Uniform Building Code be enforced for existing buildings. Therefore, enforcement of existing building regulations will produce a good level of fire life safety protection.

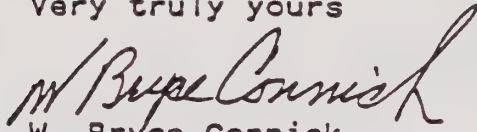
It is my opinion that effective mitigation of the life safety issue in the multi-family buildings is effectively accomplished by compliance with existing code requirements including installation of smoke detectors. If automatic sprinklers are also installed I would consider the overall level of protection to be superior to that which is usually found in similar developments with good fire experience.

In conclusion, I recommend that the following mitigation to the fire department concerns be considered.

1. Provide a secondary means of access to the project.
2. Install fire retardant roof covering.
3. Develop an appropriate fuel management plan for landscaping.

If there is need for more information or if you have questions, please contact me. Thank you for assigning this important work to me.

Very truly yours

A handwritten signature in cursive script, reading "W. Bryce Connick". The signature is written in dark ink and is positioned above the printed name.

W. Bryce Connick
Principal

**REVISED
APPENDIX F:**

**MEMORANDUM OF UNDERSTANDING FOR
WHIPSNAKE TRAPPING SURVEY**

MEMORANDUM OF UNDERSTANDING
BY AND BETWEEN
LSA ASSOCIATES, INC.
AND
CALIFORNIA DEPARTMENT OF FISH AND GAME
RELATING TO STUDIES OF THE
ALAMEDA WHIPSNAKE

This Memorandum of Understanding is made and entered into by and between LSA Associates, Inc. hereinafter called LSA and the California Department of Fish and Game, Sacramento, hereinafter called the Department.

W I T N E S S E T H

Whereas, LSA desires to conduct surveys for the Alameda whipsnake, and

Whereas, the Alameda whipsnake (Masticophis lateralis euryxanthus) is classified as a Threatened species by the State, and

Whereas, such surveys are needed to obtain data essential to the proper conservation and management of this species, and

Whereas, LSA has personnel qualified to conduct surveys on this species, now

Therefore, it is mutually agreed and understood as follows:

1. LSA will undertake field activities on three specific sites (noted in conditions 3 and 9) in Alameda and Contra Costa counties necessary to determine absence or presence of the Alameda whipsnake.
2. The studies shall commence immediately upon acceptance of this MOU and shall continue until June 30, 1989.
3. Capture of whipsnakes will be done by hand or traps approved by the Department. Standard Fitch funnel traps may be used. Traps shall be located in areas where adequate shade occurs. All traps will be monitored daily.
4. In the event of injury or death, trapping shall be discontinued until further analysis is completed by the Department. Any whipsnakes which die will be properly tagged and frozen. Any injuries or deaths will be reported to Susan R. Ellis (916-355-7114) within 48 hours or on the next business day. The Department will determine the disposition of any dead snakes.

5. Drift nets shall be at least 12 inches high.
6. All snakes will be photographed as follows:
 - Close-up of head and neck from the side
 - Close-up of the chin
 - Picture of the entire snake
7. All snakes will be released at the location of capture.
8. This work will be performed under the direction of Malcolm Sproul.
9. The principal field investigator for the Carriage Hills West and Gateway Property studies in Contra Costa County will be John Pelonio.
10. The principal field investigator for the Dunsmuir Heights Property study in Alameda County will be Ted Papenfuss.
11. John Pelonio, Ted Papenfuss, Tom Wake and Don Schmoldt are authorized to check traps at any of the three study locations.
12. Each individual working independently on these studies in the field shall have in their possession a copy of this Memorandum of Understanding, written authorization from Malcolm Sproul and a Scientific Collecting Permit issued by the Department.
13. During the term hereof, the parties shall confer periodically to develop and revise, as necessary, a coordinated program for the work on these studies.
14. LSA will provide the Department with a summary of the work performed by December 31, 1989. The minimum content of this report will include the location of the collection sites, the type and number of snakes caught at each site, photographs of each snake captured, and any life history information resulting from the study. Negative data will be included.
15. California Native Species Field Survey Forms will be completed and mailed to Susan R. Ellis, Inland Fisheries Division, 1701 Nimbus Rd., Suite C, Rancho Cordova, CA 95670.
16. Unless terminated sooner by either party of the Memorandum of Understanding giving thirty (30) days prior written notice of earlier termination, this agreement shall commence on the date hereof and shall end on December 31, 1989, both days inclusive.

This Memorandum of Understanding has been executed by and on behalf of the parties hereto as of the dates shown below.

Malcolm S. Sproul
Malcolm Sproul, Principal
LSA Associates, Inc.
157 Park Place
Pt. Richmond, CA 94801

P. E. Wapler
for Pete Bontadelli, Director
State of California
Department of Fish and Game

Date: 4/24/89

Date: 4-20-89

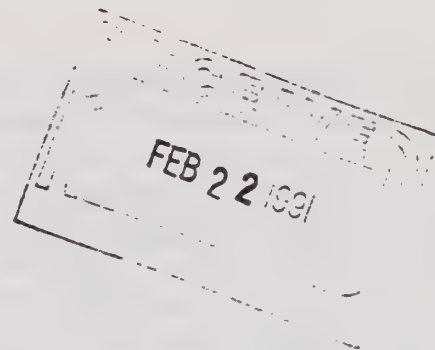
**REVISED
APPENDIX G:**

**LETTER FROM ROBERT E. GOLDMAN, ANGUS McDONALD &
ASSOCIATES, INC., TO JOHN WAGSTAFF, WAGSTAFF
AND ASSOCIATES; FEBRUARY 21, 1991**

Angus McDonald & Associates

1950 Addison Street, Suite 107 Berkeley, California 94704-1102
Telephone (415) 548-5831 FAX (415) 548-7599

February 21, 1991



Mr. John Wagstaff
Wagstaff and Associates
Parker Plaza
2550 Ninth St.
Berkeley, CA 94710

SUBJECT: Request by Mr. Zimmerman for Additional Information Regarding
Assessed Value Model; 1653

Dear Mr. Wagstaff:

This letter is in response to Mr. G. Zimmerman's request in his letter of January 28, 1991 for additional information regarding the model used to estimate assessed value in the Dunsmuir Heights DEIR fiscal analysis.

The model, developed by Angus McDonald & Associates, has been applied by the firm over the past few years in more than 20 fiscal impact studies throughout California. It is constructed in three linked Lotus 1-2-3 spreadsheets that calculate (1) the interactive effects of real property appreciation rates, housing turnover rates, and inflation; (2) the assessed value, property tax revenues and the amount of these revenues that flow to each subject jurisdiction; and (3) the amount of property transfer tax revenues that flow to each jurisdiction.

Revenue forecasts produced by the model are dependent upon the following key assumptions:

1. Property values at the time of initial sale;
2. Property turnover rates;
3. Property appreciation rate;
4. The general inflation rate;
5. Property tax rate(s) at a subject location;
6. The Tax Apportionment Factor for the subject jurisdiction at the subject location; and
7. The property transfer tax rate of the subject jurisdiction.

Mr. John Wagstaff
February 21, 1991
Page 2

The initial selling prices assumed for the Proposed Project are shown in the table on page 3. Property turnover rates were assumed to be 12.5 percent annually (on average, each unit changes title once every eight years). The property appreciation rate and the inflation rate were both assumed to be 5 percent annually. The general property tax rate of 1 percent (as defined by current California law) was assumed to remain constant over the period of analysis. The Oakland property tax override rate of 0.1575 percent was also assumed to remain constant throughout the analysis period. The City of Oakland Tax Apportionment Factor (TAF) of .3485 for the Tax Code Area in which the property is located was assumed to remain constant throughout the analysis period. (Note: there was a typographical error in the text in the DEIR on page 406. The text refers to the TAF as .3467. The correct TAF, and the figure used in the calculations, is .3485.)

The results of the model are sensitive to the above assumptions. Sensitivity analyses of the model have been performed in many settings.

Two key assumptions in the analysis are (1) the property appreciation rate and (2) the inflation rate. If property appreciation rates are assumed to be greater than inflation rates (the situation that has generally prevailed in much of California over the past decade), then, everything else being equal, the greater will be the property tax revenues generated by the project. While this topic is debated among professionals, we took the conservative assumption that they would be equal. (Dr. Randall Pozdena, Vice President of Research at the San Francisco Federal Reserve Bank, last year participated in a review of the assumptions in an application of the model in Orinda. Dr. Pozdena, who has written extensively on the economics of housing, argues that, in the long run, the theoretically most defensible assumption is that housing prices inflate at the same rate as the general price level.)

In order to illustrate how property tax revenues are generated, we present the calculation for a simple case below.

Calculation of General Property Tax Revenues
Assuming Assessed Value Keeps Up With Inflation
(In 1990 Dollars)

Product Type	Sales Price	Number of Units	Total Value
Custom Houses	\$400,000	13	\$5,200,000
Production Houses	\$285,000	244	\$69,540,000
Townhomes 6-plexes	\$195,000	186	\$36,270,000
Townhomes 8-plexes	\$180,000	64	\$11,520,000
		----	-----
Total		507	\$122,530,000
Total Assessed Value			\$122,530,000
General Property Tax Rate			1.00%

Total General Property Tax Revenues			\$1,225,300
City of Oakland Share (TCA 17-001)			34.85%

General Property Tax Revenues to Oakland			\$427,017

This calculation would be correct only under certain sets of circumstances. Two sets of conditions under which this calculation would hold are as follows:

All properties changed ownership each year and the property appreciation rate equalled the inflation rate; or,

The property appreciation rate and inflation rate were equal and were 2 percent or less annually.

Under circumstances where the inflation rate is greater than 2 percent and the turnover rate is less than 100 percent (as was assumed in the analysis of the Dunsmuir Heights Proposed Project), the above calculation overstates the general property tax revenues that would be generated by the project. In fact, the analysis in the DEIR forecast general property tax revenues of \$409,000 in the fifth year and \$379,400 in the tenth year, in contrast to the \$427,000 calculated above.

The reason that the real value of property tax revenues is forecast to decline somewhat in both the fifth and tenth years in the analysis is that a) only 12.5 percent of the units were assumed to change ownership each year and b) the inflation and property appreciation rates were assumed to be 5 percent, (i.e., 3 percent greater than the

maximum allowable annual increase for real property assessments for those properties that do not change ownership).

In order to better understand the logic behind the property tax forecasts, we will go through the calculation for another limiting case. In this example, we assume that there is no housing turnover (after the initial sale) and that the inflation rate is 5 percent annually. Since no units are sold after the first sale, it does not matter in this case what assumption is made about property appreciation rates. For simplicity, we further assume that the initial sale of all units is in the same year. Recall that for properties that don't change ownership, California law allows a maximum annual increase in assessed value of whichever is greater -- 2 percent or the inflation rate. What happens in this case, then, is that the assessed value annually declines by 2.86 percent in real dollars (i.e., approximately the difference between the inflation rate and the maximum allowable increase in assessed value). An annual decline of 2.86 percent over 5 years would mean that in real dollars, the assessed value at the end of Year 5 would be 86.51 percent of the initial value. Tracing this case on through, the calculation below shows that the general property tax yield to the City of Oakland in the fifth year would be \$369,412. Again, this compares with the forecast in the DEIR of \$409,000 that resulted from the assumptions that were actually used. Recall that the analysis assumed that 12.5 percent of the units would change ownership and, therefore, be reassessed at full market value, each year.

Calculation of Property Tax Revenues at Fifth Year
Assuming No Turnover and 5 Percent Inflation

Initial Assessed Value	\$122,530,000
Deflator	86.51%

Real Assessed Value at Fifth Year	\$106,000,703
General Property Tax Rate	1.00%

Total General Property Tax Revenues	\$1,060,007
City of Oakland Share (TCA 17-001)	34.85%

General Property Tax Revenues to Oakland	\$369,412

What the Angus McDonald & Associates' property tax model does, among other things, is automate the above calculations. Using a proprietary algorithm, the model quickly

Mr. John Wagstaff
February 21, 1991
Page 5

calculates the "deflator" used in the above calculations under varying assumptions and with different years for the initial sale of properties.

The two examples provided here indicate the logic behind property tax forecasts and provide a reasonable upper and lower limiting case for the Dunsmuir Heights Proposed Project.

The property tax model does not purport to include every nuance that would affect assessed value. For example, the assessed value of a house that does not change ownership would increase above the 2 percent maximum in response to additions or alterations to the property. Another example is Proposition 60 which permits homeowners aged 55 and over who buy a trade-down replacement home in the same county where they currently own a primary residence to transfer the property tax base from their current home to the new home. These phenomena, which are very difficult to estimate, can reasonably be expected to have less than a material impact on the results.

In my professional opinion, the techniques used to forecast property tax revenues in the DEIR for the Dunsmuir Heights Proposed Project are technically sound and adequate.

Yours very truly,

ANGUS McDONALD & ASSOCIATES, INC.

A handwritten signature in dark ink, appearing to read "Robert E. Goldman", followed by a horizontal line.

Robert E. Goldman

REG:st

APPENDIX K:
SUPPLEMENTAL GEOTECHNICAL INFORMATION

BIBLIOGRAPHY

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- California Division of Mines and Geology, 1982, Special Studies Zone Map, San Leandro Quadrangle.
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Lloyd S. Cluff
Consulting Seismic Geologist
33 Mountain Spring Avenue
San Francisco, California 94114
Tel. (415) 564-9371
Fax (415) 564-6697

April 5, 1991

Attn: Mr. Stan Muraoka
City of Oakland Planning Department
1330 Broadway, Suite 310
Oakland, CA 94612

Subject: Response to Public Comments on Dunsmuir Heights
Revised Draft Environmental Impact Report
ER 86-17, PUD 89-53

This is to address comments in an undated memorandum from John Bailey, P. E., regarding RDEIR page 296, RDEIR page 304, paragraph 4, and a February 25, 1991, letter to Charles S. Bryant regarding "Focused Comments on Site Geology," Item 14.

With regard to the performance of single-family, wood-frame dwellings during earthquakes, I have been involved in many investigations with structural engineers and architects, working together during the past 30 years in the direct observation of earthquake effects. With particular reference to the proposed Dunsmuir Heights Project, I have observed the performance of countless residential dwellings. My resume is certainly of consequence in this matter in that it documents at least a part of this experience. I have made first-hand investigations and have observed the performance of single-family dwellings in the following earthquakes:

- Hebgen Lake Earthquake, Montana, 1959
- Good Friday Earthquake, Alaska, 1964
- Parkfield, California, Earthquake, 1966
- Caracas, Venezuela, Earthquake, 1967
- Peru Earthquake, 1970
- San Fernando, California, Earthquake, 1971
- Managua, Nicaragua, Earthquake, 1972
- Guatemala Earthquake, 1976
- Algerian Earthquake, 1980
- Mexico City Earthquake, 1985
- Armenian, USSR, Earthquake, 1988
- Loma Prieta Earthquake, California, 1989

Lloyd S. Cluff

Mr. Stan Muraoka

Page 2

As stated in a report by the Earthquake Engineering Research Institute (1989),

From an engineer's point of view, the records of large peak accelerations have created a dilemma. Using the simple design philosophy of force equals mass times acceleration, these large observed accelerations lead to extremely large forces, yet buildings designed to withstand substantially smaller forces have performed satisfactorily during earthquakes. The dilemma arises from the misconception that a single parameter can characterize the forces resulting from strong ground motion. It is now clear from many observations and analyses that no one parameter adequately characterizes all the significant features of strong ground motion.

In *Seismic Design Codes and Procedures*, G. V. Berg (1982) stated:

The [1906] San Francisco earthquake demonstrated that some good buildings of the day were quite capable of withstanding earthquake shaking. Wood frame buildings responded exceptionally well. Indeed, [it was] reported that the majority of the buildings in the city up to five stories high that were well designed and well constructed performed satisfactorily except for those built on soft ground or fill. (page 20)

and

Experience in destructive earthquakes has demonstrated convincingly that most buildings on soft ground incur a greater degree of damage than comparable buildings on firm ground...(Page 31)

And finally, in their report on the effects of the San Fernando earthquake, the Los Angeles County Earthquake Commission (1971) stated:

Most typical, modern, one-story wood frame houses performed well during the earthquake ground shaking in that no severe hazard was created nor were the major economic losses widespread.

I could continue, for there are many examples. I am attaching a short list of references that apply to this discussion for the interested reader.

Lloyd S. Cluff

Mr. Stan Muraoka

Page 3

Let me close by saying that I have not designed residential structures. I am an expert on earthquakes and seismic safety, and never represented myself as a design engineer. In fact, residential structures are not normally designed by structural engineers, but are usually constructed by contractors using the provisions in the Uniform Building Code.

With regard to my review (or lack thereof) of the reports listed in the February 25, 1991, letter to Mr. Bryant, these reports were all available to me in the PRA offices. During cursory review, I found they were either not directly relevant to my specific assignment of evaluating active faulting and earthquake effects, or the substance of the report could be found in the reports that I did review in detail.

Sincerely,

A handwritten signature in black ink, appearing to read "Lloyd S. Cluff", with a long horizontal stroke extending to the right.

cc: Wagstaff and Associates
2550 Ninth Street, Suite 205
Berkeley, CA 94710

Robert Miller

Lloyd S. Cluff

Mr. Stan Muraoka

Page 4

REFERENCES

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DEPARTMENT OF WATER RESOURCES

1416 NINTH STREET, P.O. BOX 942836
SACRAMENTO, CA 94236-0001
(916) 445-9248

CHIEF
ENGINEER

FEB 19 1991



FEB 15 1991

FEB 20 1991

Assistant Chief Engineer

Mr. Dennis L. Allen, Chief Engineer
East Bay Municipal Utility District
P. O. Box 24055
Oakland, California 94623

Attention: Mr. Fred Starr

Dear Mr. Allen:

Dunsmuir Reservoir Dam, No. 31-18
Alameda County

We have reviewed your January 28, 1991 transmittal of the developer's plan to construct an access road west of Dunsmuir Reservoir and have determined that the proposed construction does not impair the safety of Dunsmuir Reservoir. If the road is constructed as proposed on Attachments 1, 2 and 3, then no application will be required for this work.

Thank you for the opportunity to review the proposal before granting the easement to the developer. If you have any questions, please contact Area Engineer David R. Borger at (916) 323-5309, or Regional Engineer William J. Bennett at (916) 323-1421.

Sincerely,

Vernon H. Persson, Chief
Division of Safety of Dams

August 22, 1989

Mr. Robert G. Miller, V. P.
Hayward Exchange, Inc.
22320 Foothill Blvd.
Hayward, CA 94543

Re: Proposed Dunsmuir Heights (Map Attached), Oakland

Dear Mr. Miller:

It was again a pleasure meeting and speaking with you on May 17, 1989. The District has, since that time, completed research regarding your requests and recommends the following courses of action and guidelines:

- o The District proposes at this time to sell you the Anthony Reservoir site, Oakland. As previously indicated, the appraisal is outdated and is presently 18 months old. An updated appraisal (in letter form) of the site will therefore be required to determine the present fair market value of this site prior to proceeding with the sale to you. We propose to hire Dave Simmons (original property appraiser) with your consent and prior payment in the amount of \$1500 for said services. Payment should be made to EBMUD prior to the initiation of this appraisal. As before, a copy of the revised appraisal will be made available to you.
- o The District also proposes to sell you an access roadway within our Dunsmuir Reservoir property, Oakland. This property appraisal is also outdated and is currently 13 months old. Prior to proceeding with the sale, we will need to have the appraisal updated via a letter appraisal. We propose to hire Floyd Hibbitts (original property appraiser) for these services with your consent and prior payment in the amount of \$1500. This payment should also be made payable to EBMUD prior to the commencement of said appraisal services. A copy of the updated letter appraisal will thereafter be made available to you. Please note that the sale of this roadway through our Dunsmuir Reservoir property is contingent upon your granting the District a roadway easement via your proposed Dunsmuir Heights subdivision streets; (please refer to the attached Exhibit Map). This easement will be prepared for your review upon the completion of the above requirements.



In response to your request for information concerning the proposed Dunsmuir Reservoir roadway, it is my understanding that Mr. Mitchell Moughon of Bissell and Karn, Inc. is assisting Wagstaff and Associates, authors of the Dunsmuir Heights EIR, in answering public review comments on the subject development. One comment pertains to Dunsmuir Heights proposed acquisition of a roadway from the District's Dunsmuir Reservoir site.

The proposed roadway is on the western edge of the Dunsmuir Reservoir property. The alignment crosses over the existing 60-inch-diameter mortar-lined and coated steel inlet-outlet pipeline. The alignment also borders on an area that was designated as a stockpile area for top soil and granular material used during construction of the reservoir.

The following conditions would apply to a road right-of-way across Dunsmuir Reservoir:

- o No roadway excavation would be allowed below a plane extending downward at a slope of 2-1/2 horizontal to 1 vertical beginning at Elev. 227 on a line 5 feet outside of or westerly from the face of the reservoir wall, except for temporary excavations required for the installation of individual piers, piles, caissons or similar supports. No such excavation below this plane shall have a horizontal area with any dimension exceeding 10 feet.
- o The District would be held harmless from seepage onto these developed areas whether originating from the reservoir or from natural sources.
- o All roadway development and construction plans proposed by the developer would be subject to approval by the District and by the State Division of Dam Safety.

In addition, the developer shall:

- o Maintain access to the reservoir for District vehicles and personnel during construction of the proposed roadway.
- o Construct a permanent paved transition (i.e., driveway entrance) from the proposed roadway to the District's existing access road.

Mr. Robert G. Miller
August 22, 1989
Page 3

Please call me at 835-3000, extension 236, if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Janet L. Lang". The signature is written in dark ink and has a fluid, connected style.

Janet L. Lang
Real Estate Representative

JLL:akg

Attachment

cc: Mr. M. Moughon



1365 VANDER WAY

SAN JOSE, CALIFORNIA 95112

(408) 297-6969

July 21, 1987
Project 1080H

Edward Schuert Associates
2806 Shasta Road
Berkeley, California 94708

Attention: Mr. Ed Schuert

Subject: Inspection of New Exploratory Trenches
Proposed Chabot Hills Development
Oakland, California

Gentlemen:

As Mr. Rob Miller authorized by telephone on July 14, 1987, we inspected four new trenches excavated by Purcell, Rhoades & Associates on July 16 and 17. The trenches were excavated next to and parallel to trenches logged by Terratech, Inc. in 1974 and additional trenches logged by Purcell, Rhoades & Associates in 1985. The new trenches were excavated and inspected last week to resolve differences in interpretation of geologic features between the 1974 Terratech report and the 1985 Purcell, Rhoades report.

In 1974 Terratech, Inc. ("Investigation of Three Suspected Structural Lineations, Chabot Hills Townhouse and Condominium Development") and Cooper-Clark & Associates ("Supplemental Report, Geologic Review Services, Proposed 'Chabot Hills' Residential Development") identified evidence of faulting in trenches excavated across two northwest-trending photolineaments in the hills above the Hayward fault. In 1985 Purcell, Rhoades & Associates ("Seismic Hazard Fault Study, Chabot Hills Development") interpreted features exposed in adjacent, parallel trenches as "fracture zones and bedrock weathering patterns consistent with the region and the bedrock material encountered and ... not related to recent tectonic activity."

The four trenches inspected last week will be referred to as follows in this letter:

Western (Lower) Photolineament:

Northern Trench	T1L1A
Southern Trench	T2L1A

Eastern (Upper) Photolineament:

Northern Trench	T1L2A
Southern Trench	T4L2A

These designations for the new trenches coincide with similar designations for the adjacent trenches in the 1985 Purcell, Rhoades report. The suffix "A" has been added to the previous designations.

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We understand the locations of the new trenches were to be surveyed by personnel of Charles W. Davidson Co. All four new trenches were approximately 5 feet deep.

FINDINGS

Western Photolineament

Trench T1L1A exposed light brown and reddish brown, very stiff, rocky, silty clay that may be equivalent to the "stream deposits" and "older alluvium" logged in the 1974 Terratech report and the "colluvium" logged in the 1985 Purcell, Rhoades report. No evidence of faulting was observed. Because the trench did not extend into bedrock, no conclusions can be made about the presence or absence of older faults in the underlying bedrock. The rocky, silty clay, however, is mantled by younger colluvium and thus does not appear to be a recent deposit.

Trench T2L1A exposed Leona Rhyolite of varying composition that exhibits various degrees of fracturing and weathering. Below the break in slope that defines the photolineament, a 45-foot-wide fault zone is present. The fault zone consists of steeply eastward-dipping bands of crushed and foliated rhyolite, seams of clay, and seams of caliche. The location of the fault zone in the trench was staked for surveying.

Eastern Photolineament

Trench T1L2A exposed Leona Rhyolite with compositional, fracturing, and weathering variations. West of the midpoint of the trench a 10- to 15-foot-wide fault zone is present. A 3- to 5-foot-wide, near-vertical zone of crushed and vertically- foliated rhyolite near the center of the fault zone is flanked by near-vertical zones of stiff, structureless clay. The location of the fault zone in the trench was marked with cairns, but the cairns were disturbed during backfilling operations before their locations could be surveyed.

Trench T4L2A exposed Leona Rhyolite with compositional, fracturing, and weathering variations. No evidence of faulting was observed. Despite the presence of numerous closely-spaced fractures, the continuity of the rock mass could be traced the entire length of the trench.

Control Test Pits

Four control test pits were excavated outside the limits of the two photolineaments to permit observation of Leona Rhyolite presumably unaffected by faulting. The bedrock exhibited compositional, fracturing, and weathering variations similar to the bedrock outside the fault zones in the trenches described above. From this comparison we conclude that the fault zones observed in Trenches T2L1A and T1L2A do reflect concentrated zones of deformation rather than differential weathering or regional fracturing.

July 21, 1987

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CONCLUSIONS

We found no evidence of a continuous fault zone between the two new trenches excavated by Purcell, Rhoades & Associates across the eastern photolineament. The fault zones exposed in Trench T1L2A and in two 1974 Terratech trenches appear to be discontinuous.

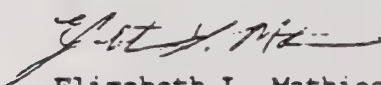
If the fault zone exposed in Trench T2L1A extends northwestward beneath Trench T1L1A, the fault zone apparently has not undergone displacement since deposition of the "stream deposits," "older alluvium," or older "colluvium" exposed in Trench T1L1A. Because no fault features and no magnetic anomalies are shown on the log of a third trench excavated across the western photolineament during the 1974 Terratech investigation, we suspect the fault zones exposed in Trench T2L1A and in two 1974 Terratech trenches are discontinuous.

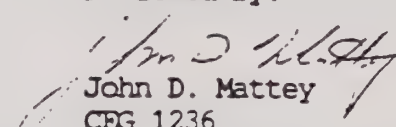
The age of the Leona Rhyolite recently was reclassified from Plio-Pleistocene to Cretaceous (Danehy, oral communication, 1987). Other bedrock formations of Cretaceous age in the San Francisco Bay area contain inactive fault zones that look much like the fault zones exposed in Trenches T2L1A and T1L2A. If the Leona Rhyolite is of Cretaceous age, the fault zones observed within it which do not displace any younger rock unit or soil horizon should be considered inactive.

Because new evidence indicates the fault zones above the Hayward fault on the Chabot Hills property are discontinuous and inactive, we recommend no building restrictions outside the Hayward fault zone. Structures sited on zones of crushed rock or fault gouge along inactive faults, however, may require special design and construction considerations to take into account potential weaknesses in the foundation materials. We assume that Purcell, Rhoades will consider these geotechnical hazards in providing their recommendations for the development of the property. Such considerations are particularly important because of the proximity of the site to the active Hayward fault and the proximity of many of the proposed structures to the crests of steep slopes.

TERRATECH, INC.

Reviewed by:


Elizabeth L. Mathieson
CEG 1249


John D. Matthey
CEG 1236

cc: Rob Miller
Dean Affeldt - Purcell, Rhoades & Associates

III. PERSONS, ORGANIZATIONS, AND AGENCIES COMMENTING DURING THE REVISED DRAFT EIR PUBLIC REVIEW PERIOD

III. PERSONS, ORGANIZATIONS, AND AGENCIES COMMENTING DURING THE REVISED DRAFT EIR PUBLIC REVIEW PERIOD

A. PERSONS, ORGANIZATIONS, AND AGENCIES COMMENTING ON THE REVISED DRAFT EIR

Those persons, organizations, and agencies who submitted comments pertaining to the adequacy of the Revised Draft EIR (RDEIR) during the RDEIR public review period in either written form or public hearing testimony are listed below. The verbatim versions of these written comments (letters and memoranda), as well as the minutes from the public hearing testimony, are reproduced separately in Appendix A to this Final EIR.

Please note that the number or numbers in parentheses following each name listed below have been assigned based on the general chronological order in which the comments were received. The comment numbers refer to the corresponding comment and response index number in chapter IV of this document, which is the number posted on the verbatim version of that respondent's comments in Appendix A. In addition, each significant environmental point raised in the numbered letter, memo, postcard, or testimony has been assigned a secondary number (1.1, 1.2, 1.3; 2.1, 2.2; etc.), which has been posted in the corresponding right margin of the verbatim document in Appendix A.

1. Local Government and Service Providers

City of Oakland, Department of Traffic and Engineering; Michael F. Pickering, City Traffic Engineer (236)

City of Oakland, Office of Parks and Recreation; H.K. White, Director (107)

City of San Leandro; Martin Vitz, City Planner (54, 315)

County of Alameda, Public Works Department; Jack A. Lindley, Supervising Civil Engineer (102, 204.B)

2. Regional Agencies

East Bay Municipal Utility District; Dennis L. Allen, Chief Engineer (157)

East Bay Regional Park District; T.H. Lindenmeyer, Environmental Coordinator (164, 316)

3. State Agencies

Caltrans; Gary F. Adams, District CEQA Coordinator (73)
Office of Planning and Research; David Nunenkamp, Deputy Director, Permit Assistance (103)
Division of Mines and Geology; Roger C. Martin, Project Manager, Environmental Review Project (270)
Division of Mines and Geology; Dennis J. O'Bryant, Environmental Program Coordinator (271)

4. Applicant and Consultants to the Applicant

Purcell, Rhoades & Associates; Irving D. Affeldt, Associate (2, 167.A)
Hayward Exchange; Robert Miller, Vice President (27, 167, 167.I)
TJKM; Steve Weinberger, Senior Traffic Engineer (167.B)
Olmstead & Hrovat; Richard Olmstead, AIA (167.C)
LSA Associates, Inc.; Malcolm J. Sproul, Principal (167.D)
Charles W. Davidson Co.; Ray Bold, Principal (167.E)
Lloyd S. Cluff, Earthquake Consultant (167.F)
Compeer Associates, Inc.; Dr. Vera Pitts (167.H)
Bank of America; Frederick L. Cannon, Vice President and Senior Economist (167.G)

5. Local and Regional Organizations

Broadmoor Neighborhood Association; Susan Goodman, President (91, 302)
Broadmoor Neighborhood Association; C. Scobee, Officer (154, 188, 218)
California Oak Foundation; Janet S. Cobb, Director (195)
Chabot Park Highlands Association; Jerry L. Belden, President (7, 98, 158, 304)
Chabot Park Highlands Association; Robert Martinez (134)
Chabot Park Highlands Association; Robert Sereda (219)
Chabot Park Highlands Association; Nancy Van Huffel, Vice President (326)
Creskside Neighborhood Association; Kay Bender, President (335)
Dunsmuir House and Gardens, Inc.; Gregory B. Putnam, President (181)
Dunsmuir Ridge Alliance; Anonymous (11, 93, 222, 223)
Dunsmuir Ridge Alliance; John Bailey, P.E. (87, 192)
Dunsmuir Ridge Alliance; Bailey, Scobee, Sommerfeld, and Pimentel (193)
Dunsmuir Ridge Alliance; E. Francis David (196)
Dunsmuir Ridge Alliance; Troy Harper (205)
Dunsmuir Ridge Alliance; Paul Merrick (204, 205, 278)
Dunsmuir Ridge Alliance; Toni Reynolds (214, 215, 216, 217)
Dunsmuir Ridge Alliance; Sewall/Beeman (220)
Dunsmuir Ridge Alliance; Scott Sommerfeld (189)
Dunsmuir Ridge Alliance; Gary Zimmerman (97, 228)
Dunsmuir Ridge Alliance; Jan Zimmerman (144)

Estudillo Homeowners Association; John Glaub, Board Member (198)
Fairmont/Lake Chabot Ridgeland Committee; Anonymous (269)
Fairmont/Lake Chabot Ridgeland Committee; Kent Wolcott, Secretary (94, 95, 351)
Golden State Audubon Society; Barbara Rivenes, Conservation Committee (152)
Grass Valley Homes Association; Felix Guillory, Chairman (337)
San Francisco Bay Chapter, Sierra Club; David Nesmith, Conservation Director (204.A)
Sheffield Village Homeowners Association; David Carpenter, Engineering Geologist (148)
Sheffield Village Homeowners Association; Mac Davis (175)
Sheffield Village Homeowners Association; Fredric C. Herzer (118)
Sheffield Village Homeowners Association; Dan Marks, Planning Consulting Services (78)
Sheffield Village Homeowners Association; Paul Merrick, President (203, 206, 234, 303)
Sheffield Village Homeowners Association; Sheila O'Connell (207)
Sheffield Village Homeowners Association; Ken Pimentel (208, 209, 210, 211, 212, 235, 277)
Sierra Club Volunteer; Toni Loveland (165)

6. Private Individuals

Anonymous (225, 226)
David Applee (354)
John Bailey (191, 332)
Paula Belden (305)
Robert Beth (89)
Robert Blackburn (324)
George Brandt (146)
Martin Brooks (353)
Ed Carlsen (273)
Arleen Carlson (276)
Ray Cronin (174, 350)
E. Francis David (327)
Bob Eagle (347)
Craig Everhart (336)
Laura Foster (32)
Donna Freeman (307)
Ralph A. Frey (197)
Jack Gifford (317)
John Glaub (330)
Kathleen Glaub (331)
John Goodman (344)
Michael Gordon (310)
Ken Gould (318)
Michael D. Greenslade (159)
Maxine Hanan (320)
Patrick Hanan (321)

Elizabeth Hanzel (279)
Ken Hechart (13)
Dana Henderson (39)
Fredric C. Herzer (300)
Joyce Herzer (349)
Vern Hesseltine (308)
Rebecca Hicklin (352)
William R. Holman (199)
Susan A.H. Holmes (162)
Hazel Houston (179)
Robert Jacobs (20)
Robert M. Johnson, Jr. (201)
Steven Kirzanis (250)
Gerald Matteucci (187)
Alice McAllister (23)
D.V. McBill (92)
Beverly Merrick (342)
Linda Meyer (14)
Ms. Gerda Mueller (67)
Virginia Murphy (168, 319)
Dean Nelson (275)
Leslie and Helen Nichols (256)
Dr. James Nickolopoulos (113)
Sheila O'Connell (314)
Ken Pimentel (339, 356)
George Piperis (122, 345)
Toni Reynolds (325)
Benton Russell (341)
Diane Russell (343)
Christine Scobee (311)
Robert Sereda (329)
Scott Sommerfeld (212, 272, 355)
Paul Stephens (301)
Diane Storman (35)
Sean Sullivan (22)
Doug Talmage (170, 340)
Russell Tohe (58)
Kent Wolcott (94)
John Whitehall (83)
Eric C. Woychik (96, 322)
Geno Yun (338)
Gary Zimmerman (15, 190, 227, 346)
Jan Zimmerman (333)

**B. PERSONS, ORGANIZATIONS, AND AGENCIES COMMENTING ON THE PROJECT,
THE PUBLIC REVIEW PERIOD, AND BACKGROUND REPORTS**

The following persons, organizations, and agencies submitted comments during the Revised Draft EIR public review period which did not directly relate to Revised Draft EIR adequacy, but rather pertained to the project merits, the adequacy of the Revised Draft EIR public review period, or requests to review relevant background reports.

1. Local Government and Service Providers

City of Oakland; Leo Bazille, Vice Mayor (17)
City of Oakland; Frank Ogawa, Councilman-at-Large (3)
City of San Leandro; David Karp, Mayor (163)

2. State Agencies

Department of Fish and Game; Brian Hunter, Region Manager, Region 3 (200)

3. Local and Regional Organizations

Broadmoor Neighborhood Association; Susan Goodman, President (4, 8)
Chabot Park Highlands Association; Jerry L. Belden, President (1)
Citizens for Urban Wilderness Areas; Roger Reeve, Corresponding Secretary (29)
Contra Costa Hills Club; Walter Strohmaier, Conservation Issues and Fund Committee (140)
Dunsmuir Ridge Alliance; Anonymous (224)
Dunsmuir Ridge Alliance; C. Scobee (6)
San Francisco Bay Chapter, Sierra Club; David Nesmith, Conservation Director (16)
Sheffield Village Homeowners Association; Paul Merrick, President (5, 9, 19, 25, 26)
Sierra Club Volunteer; Toni Loveland (18)

4. Private Individuals

Mrs. Charles Allen (127)
Cheryl Ames (115)
Ren Anderson (74)
Glen E. Anderson (237)
Rosella and Charles Asbelle (145)
Susan and Aram Attarian (173)
John Bailey (10)
Calvin Baker (238)
Mr. and Mrs. O.E. Bakko (43)
John and Dulce Balicki (128)
Eleanor W. Baltens (55)

Bernie W. Barber, Jr. (230)
Isaac and Susan Bass (44)
David Bedard (116, 239)
Aaron Belden (88)
Paula Belden (117)
Mark Benning (328)
Claudia Binder (132)
Tony and Nancy Blake (45)
Eloise Brown (147)
Stephen Brown (36)
A.C. (194)
Patrick Campi (46)
MacArthur Chair (240)
Craig Chang (241)
Earle Chapman (313)
Kevin Chapman (312)
Ruth M. Christenson (47)
Ruth M. and Howard M. Christenson (182)
Carl E. Colbert (280)
The Correa Family (56)
Robert Cryer (57)
Ted Dang (90)
E. Francis David (30)
A.E. Davis (48)
A.L. Davison (99)
Frank and Catherine Denevi (109)
Daryl and Karen B. Dodson (49)
Mr. and Mrs. David O. Eberle (183)
Jodi K. Ehrman; Joe C. Prigley (37)
Greg Fite (129)
Mr. and Mrs. C.P. Fouts (75, 243)
Donald C. Fuller; Cherie L. Harpell (184)
Willie Gayton (283)
Mr. and Mrs. James D. Godkin (130)
Georgia Bemis Gooyen; Gregory W. Gooyen (185)
Jackie Gordon (309)
Thelma Gordon (50)
Bob Grazzini (334)
Irene Gregory (282)
Edward Gretskey (149)
Sharon Hanson (38)
Cherie Harpell (306)
Earnistine Heard (244)
Fredric Herzer, President, Herzer Landscaping (33)

Fredric C. and Joyce C. Herzer (160, 161, 176, 177, 178)
John Hing (100)
Joseph L. Hoffman (76)
James Hooker (245)
Hazel Houston (119, 186)
Fred Hunter (101)
Illegible (246, 247)
Illegible signature (268)
Lahoma Jackson (248)
Robert Jacobs (77)
Oliver V. Jacobson (120)
Catherine Jennings (59)
Alvin Johnson (249)
Mr. and Mrs. James Kappler (110)
Yoshiko Kato (202)
M. Kelone (133)
Donald Kezar; Laura Reyes (28)
Sandy Kochki (251)
Margaret Kroman (60, 61, 62)
B.H.L. (252)
Laurie Ann Lepoff (253)
Adrienne Lockhart (24)
Susan Logan, Marilyn Shatzer, Joana Kennedy (180)
Kim Lucas; Carl Z. Cloberts (63)
Jim Macedo (64)
Gloria E. Mattos (79)
Alice McAllister (23)
Archie McCain (254)
A. McRae (65)
Maisie McRae (151)
Joyce McWhitney (51)
Edward and Louise Medeiros (52)
Cynthia Melerdy (121)
Michael Meyer (166)
Harold L. Miller (111)
Jean Miller (66)
Pat Milton; Gregory Palulis (40)
Cassandra Moore (255)
Otto and Eileen Mueller (53)
Mr. and Mrs. J. Nunes (80)
Patrick and Kit O'Leary (153)
Louis R. and Florence S. Patrick (104)
Helen Patton (12)
Kathy Pearson (135)

Kathryn Pearson (68)
Petition (38 signatures) (21)
Patricia Power (81)
Clara Pryor (41)
Steven Quayle (323)
Susan and John Rampa (105)
E.L. Renfro, Jr. (213)
Carlos Reynoso (257)
Mrs. M. Robinson (123, 258)
Ronya Robinson (106)
Dick Rogers; Maureen Sirhall (34)
Charles Salvador (150)
Gale Salvador (136)
Colin Schock (137)
Marian F. Schock (138)
Tad Schock (139)
Albert J. and Elizabeth Selfa (69)
Theresa Shew (112)
John S. Simms (259)
Thomas Sinagra (131)
Anne Smith (169)
Edwin Smith (260)
Marie Smith (70)
Mary P. Smith (221)
Rebecca Smith (231)
Bessie Soohoo (232)
Randall Sparks (261)
Bruce and Janet Stevenson (124)
Margaret Swenson (141)
Bennie Tate (262)
Barbara Taylor (281)
Cindy Tilley (142)
Scott Tilley (143)
Janette Tomlinson (71)
Donn Trousedale (114)
Laura Tucker (263)
Marvin and Dorothy Tuttle (155)
Bill U. (31)
Floyd VanDycke (242)
Valentina and Victor Varriel (82)
Mr. and Mrs. Louis Vince (42)
Beryl Vonderheid (274)
Scott Watts (84)
Hedi Washburn (125)

Marie Watson (72)
Ralph N. Watters (156)
Jeff and Liz Werminski (85)
F.H. Wickers (264)
Lee Williams, Jr. (265)
Roderick N. Williams (266)
Susie K. Witt (108)
Catherine LeCleire and Ian Wright (86)
Kenneth Yoskowitz (171)
Angelina and Stanley H. Young (126)
Bill Young (348)
Ron Z. (267)
Angela Zawadski (172)
Gary Zimmerman (233)
Sandra Zirulnik (229)

IV. INDEX TO COMMENTS ON THE REVISED DRAFT EIR AND ASSOCIATED RESPONSES

Dunsmuir Heights
City of Oakland
August 30, 1991

Final EIR

IV. INDEX TO COMMENTS ON THE REVISED DRAFT EIR AND ASSOCIATED RESPONSES

The *Index to Comments and Responses* in this chapter lists each commenter (person/agency or organization), the date of the comment, the code number for each environmental point raised, a response number for the written response to this environmental point, and the general environmental point or issue raised. The response and comment code reference numbers are intended for use by the reader to locate the corresponding written responses in section V of this document, and the corresponding verbatim comment or testimony in Appendix A to this Final EIR.

Note: Letters, memoranda, and postcards which did not directly relate to the RDEIR adequacy, but rather pertained to the project merits, the adequacy of the RDEIR public review period, or requests to review background reports, are not included in this index (i.e., letters 1, 3-6, 8-10, 12, 16-19, 21, 23-26, etc.).

A. WRITTEN COMMENTS (LETTERS, MEMORANDA, AND POSTCARDS)

The **Comment Code** below refers to verbatim written comments on the Revised Draft EIR and corresponding margin codes which are included in Appendix A to this Final EIR. The **Response Code** refers to the comment summary and related written response in Section V of this document.

<u>No./Name/Agency/Date</u>	<u>Comment Code/ Response Code</u>	<u>Environmental Point</u>
2. Irving D. Affeldt, Associate, Purcell, Rhoades & Associates	2.1 / G.18	Misquote of Purcell Rhoades.
	2.2 / G.18	Misquote of Purcell Rhoades.
	2.3 / G.18	Misquote of Purcell Rhoades.
7. Jerry Belden, President, Chabot Park Highlands Association, 1-24-91	7.1 / J.8, J.22	Response time to project.
	7.2 / J.8	Additional personnel as mitigation.
	7.3 / J.31	Adequacy of secondary access response time.
	7.4 / J.31	Slope restrictions of secondary access.
	7.5 / J.9	Feasibility of fuel management plan.
	7.6 / J.20	Construction of fire station.
11. unsigned, Dunsmuir Ridge Alliance, 1-25-91	11.1 / D.2	Relationship of project to Anthony Chabot Regional Park.
13. Ken Hechart, 1-28-91	13.1 / E.10	Visual impact on views from the north.
14. Linda Meyer, 1-28-91	14.1 / T.1	Enforcement of mitigation.

<u>No./Name/Agency/Date</u>	<u>Comment Code/ Response Code</u>	<u>Environmental Point</u>
	14.2 / E.10	Visual impact on views from the north.
	14.3 / J.6	Mitigation of impacts on police and fire services.
15. G. Zimmerman, 1-28-91	15.1 / J.85	Source of "model" used in economic analysis.
20. Robert Jacobs, 2-91	20.1 / T.6	Support for certification.
22. Sean Sullivan, 2-91	22.1 / T.6	Support for certification.
	22.2 / O.1, P.5	Feasibility of alternatives (road through the golf course).
27. Robert Miller, Vice President, Hayward Exchange, 2-4-91	27.0 / T.4	Identification of typographical errors.
32. Laura Foster, 2-7-91	32.0 / T.6	Support for certification.
35. Diane Storman, 2-9-91	35.1 / F.28	Maintenance of streets in Chabot Park Highlands.
39. Dana Henderson, 2-10-91	39.1 / F.1	Loitering at the south gate of Dunsmuir House.
54. Martin Vitz, City Planner, City of San Leandro, 2-11-91	54.A.1 / F.2	Traffic impacts on residential neighborhoods.
	54.A.2 / H.1	Minimum drainage design standards.
	54.A.3 / T.5	Summary table.
	54.A.4 / E.56	550 ft. contour as mitigation to visual impacts.

<u>No./Name/Agency/Date</u>	<u>Comment Code/ Response Code</u>	<u>Environmental Point</u>
Martin Vitz, City Planner, City of San Leandro, -89	54.B.1 / F.2	Traffic impacts on San Leandro residential neighborhoods.
	54.B.2 / F.3	Traffic impacts on Washington and Roosevelt Elementary schools and Broadmore Cooperative Nursery.
	54.B.3 / F.4	Increased hazard at I-580 southbound off-ramp right turn onto Dowling Boulevard.
	54.B.4 / F.5	Mitigation of offsite traffic impacts (road improvements).
	54.B.5 / F.6	Mitigation of offsite traffic impacts (payment of pro-rata portion of development fee for street improvements to the City of San Leandro).
	54.B.6 / F.77	Steepness of roads in San Leandro compared to project road.
	54.B.7 / H.1	Storm water runoff minimum design standard.
	54.B.8 / H.2	Share of cost of upsizing drainage pipe on Fortuna Boulevard.
	54.B.9 / H.3	Erosion impacts on San Leandro Creek.
	54.B.10 / K.44	Impacts on riparian habitat in San Leandro Creek.
	54.B.11 / J.86	Payment of pro-rata park impact fee to City of San Leandro.
	54.B.12 / F.7, O.35	Greater detail of discussion of traffic impacts on streets and intersections.

<u>No./Name/Agency/Date</u>	<u>Comment Code/ Response Code</u>	<u>Environmental Point</u>
58. Russell Tohe, 2-12-91	58.1 / E.9	Lack of landscaping on photo-montages.
	58.2 / E.21	Visual impacts from Lake Chabot.
67. Ms. Gerda Mueller, 2-12-91	67.1 / T.6	Support for certification.
73. Gary F. Adams, Caltrans District CEQA Coordinator, 2-13-91	73.1 / F.8	ADT and peak hour traffic counts at ramps and cross streets adjacent to I-580.
	73.2 / F.9	Methodology used to validate current ADT and peak hour counts.
	73.3 / F.10	Inclusion of Lake Chabot Terrace in cumulative analysis.
	73.4 / F.11	Analysis of Dutton and Estudillo Avenue freeway ramps.
	73.5 / F.12	Non-highway construction mitigation.
	73.6 / F.13	Additional study of improvements for Foothill Way, Peralta Oaks Drive, I-580 ramps.
	73.7 / F.14	Local funding of the I-580/Foothill Way ramp improvements.
78. Dan Marks, Planning Consulting Services, Sheffield Village Homeowners Association	78.1 / C.5, D.47	Estimated project home prices.
	78.2 / D.48	Number of townhouses in the project.
	78.3 / D.49	Validity of "trickle down" analysis.

<u>No./Name/Agency/Date</u>	<u>Comment Code/ Response Code</u>	<u>Environmental Point</u>
	78.4 / D.30	Validity of Oakland's Comprehensive Plan.
	78.5 / F.15	Reference to policy discussion in transportation section.
	78.6 / I.1	Use of state noise standards.
	78.7 / D.50	Inclusionary housing as mitigation.
	78.8 / D.46	Conformance with policies.
	78.9 / D.51	Validity of <i>Housing Element</i> .
	78.10 / T.16	Analysis of project with mitigation.
	78.11 / E.65, F.18, T.17	Impacts of mitigation measures.
	78.12 / T.2, T.7	Mitigations enforced by other agencies.
	78.13 / T.2, T.7	Contribution of fair share mitigation approach.
	78.14 / F.68, T.7	Provision of crossing guards.
	78.15 / J.53, T.7	School district boundaries.
	78.16 / J.108, T.7	Fire and police personnel.
	78.17 / F.16, T.7	Transit routes.
	78.18 / D.52	Housing analysis vacant land data.
	78.19 / D.53	Need for executive housing.
83. John Whitehall, 2-13-91	83.1 / D.54	Mid-level housing needs.
	83.2 / T.6	RDEIR should be certified.

<u>No./Name/Agency/Date</u>	<u>Comment Code/ Response Code</u>	<u>Environmental Point</u>
87. John Bailey, Dunsmuir Ridge Alliance, 2-14-91	87.1 / G.88	Excavation stockpiles.
	87.2 / G.88	Future reservoir drainage problems.
	87.3 / G.88	State Division of Safety of Dams involvement.
	87.4 / D.20	Impacts on Dunsmuir House and Garden.
	87.5 / G.88	Safety concerns related to Dunsmuir Reservoir.
	87.6 / G.88	Adequate ductility/lateral dynamic loading.
	87.7 / G.88	Floor to wall connections.
	87.8 / G.88	Mat foundation floor.
	87.9 / G.88	Shear punching.
	87.10 / G.88	Responsibility of tank failure.
89. Robert Beth	87.11 / G.88	Potential for washout of Peralta Oaks Extension.
	89.1 / D.27	Characterization of open space loss.
	91.1 / J.52	Access to schools.
91. Susan Goodman, President, Broadmoor Neighborhood Association	91.2 / J.53	Capacity of local schools.
	91.3 / J.54	Transfer to San Leandro schools.
92. D.V. McBill, 2-14-91	92.1 / J.1	Methodology for determining fire and police needs.

<u>No./Name/Agency/Date</u>	<u>Comment Code/ Response Code</u>	<u>Environmental Point</u>
	92.2 / J.87	Understatement of fiscal advantages.
93. unsigned, Dunsmuir Ridge Alliance	93.1 / E.2	Visual impact from Lake Chabot and Anthony Chabot Regional Park.
	93.2 / E.2	Visual impact from Lake Chabot and Anthony Chabot Regional Park.
	93.3 / E.2	Regional visual importance of site.
	93.4 / E.16	Light and glare impacts on Lake Chabot and Anthony Chabot Regional Park.
	93.5 / D.19	Wooded ravine on Lands of Drinnen.
	93.6 / E.52	Consistency with visual policies of the <u>OCP</u> .
	93.7 / E.52	Consistency with visual policies of the <u>OCP</u> .
	93.8 / E.3	Photographs for determining visual vulnerability.
	93.9 / E.3	Methodology for determining visual impacts.
	93.10 / E.4	Location of views determining level of visual impacts.
	93.11 / E.4	Location of views determining level of visual impacts.
	93.12 / E.16	Light and glare impacts on camping areas.
	93.13 / E.6	Neighborhood vantage points.
	93.14 / E.20	I-580 scenic view corridor status.

<u>No./Name/Agency/Date</u>	<u>Comment Code/ Response Code</u>	<u>Environmental Point</u>
	93.15 / E.57	Project site is Measure K open space acquisition site.
	93.16 / E.17	Visibility of golf course behind "hill forms."
	93.17 / E.7	Adequacy of visual impact simulations.
	93.18 / E.34	Landscaping obstruction of views.
	93.19 / E.34	View conflicts with landscape screening.
	93.20 / E.39	Use of white alder as visual screen.
	93.21 / E.20	Views from I-580.
	93.22 / E.7	Adequacy of Bancroft/Dutton view simulation.
	93.23 / E.18	Road and crib walls in Sheffield Village view simulation.
	93.24 / E.34	View conflicts with landscape screening.
	93.25 / E.19	Visual impact of retaining walls.
	93.26 / E.34	View conflicts with landscape screening.
	93.27 / E.10	Views from existing homesites.
	93.28 / E.34	View conflicts with landscape screening.
	93.29 / E.23	Importance of views from Lake Chabot and Castro Valley.

<u>No./Name/Agency/Date</u>	<u>Comment Code/ Response Code</u>	<u>Environmental Point</u>
	93.30 / E.57	Measure K.
	93.31 / E.34	View conflicts with landscape screening.
	93.32 / E.16	Light and glare impacts on Lake Chabot and the regional park.
	93.33 / E.8	Color photos and simulation.
	93.34 / E.16	Light and glare impacts on the marina/east shore areas of Lake Chabot.
	93.35 / E.25	Visual impacts on Castro Valley neighborhoods.
	93.36 / E.33	Impact of loss of few remaining ridgelands.
	93.37 / E.54	Confusion with which mitigations apply to which alternatives.
	93.38 / E.11	Characterization of project design as "cluster."
	93.39 / D.33	Maximization of open space.
	93.40 / D.33	Allowable density of project.
	93.41 / E.11	Open space saved by clustering.
	93.42 / E.15	Simulation of development above the natural skyline.
	93.43 / E.16	Offsite light and glare impacts.
	93.44 / E.24	Cumulative visual impacts.
	93.45 / E.22	Visible portion of Lake Chabot.

<u>No./Name/Agency/Date</u>	<u>Comment Code/ Response Code</u>	<u>Environmental Point</u>
	93.46 / E.2	Light and glare impacts on the lake and regional park.
	93.46 / E.57	Measure K.
	93.47 / E.34	View conflicts with landscape screening.
	93.48 / E.44	Enforcement of CC&Rs.
	93.49 / E.36	Effectiveness of landscape screening in other projects.
	93.50 / E.59	Inadequate mitigation.
	93.51 / E.58	Simulations of alternatives.
	93.52 / E.54, T.16	EIRs for alternatives.
	93.53 / C.32, E.54	Incomplete project description.
	93.54 / E.58, F.17, O.2	Inadequate analysis of six entrance roads.
	93.55 / G.15, K.36	Serpentine rock near proposed access road.
	93.56 / O.36	Adequacy of single access road recommendation.
	93.57 / G.55	Fault impacts on crib wall.
	93.58 / E.60, O.3, T.16	Alternatives and mitigations as a package.
	93.59 / E.18, E.60, O.4	Status of single road with crib walls alternative.
	93.60 / E.44	Implementation of CC&Rs.

<u>No./Name/Agency/Date</u>	<u>Comment Code/ Response Code</u>	<u>Environmental Point</u>
	93.61 / E.16	Visual impacts on Lake Chabot and the regional park.
	93.62 / E.44	Mitigation of light and glare impacts.
	93.63 / E.47	Light and glare impacts of tennis courts.
	93.64 / E.24	Cumulative impacts on Lake Chabot and the regional park.
	93.65 / E.52	Consistency with the <u>OCP</u> .
	93.66 / E.20, E.53	Visual impacts on scenic route I-580.
	93.67 / E.53	Interpretation of Oakland Policy Plan.
	93.68 / E.26	View from Lake Chabot Road, designated scenic route.
94. Kent Wolcott, Secretary, Fairmont/Lake Chabot Ridgelands Committee, 2-14-91	94.1 / E.24	Cumulative impacts on views from Lake Chabot.
95. Kent Wolcott, Secretary, Fairmont/Lake Chabot Ridgelands Committee, 2-14-91	95.1 / E.54	Clarity of impact and mitigation descriptions.
	95.2 / E.24	Cumulative visual impacts on views from Lake Chabot.
96. Eric C. Woychik, 2-14-91	96.1 / L.1	Failure to quantify air pollution impacts.
	96.2 / L.2	Failure to note air quality related agencies or policies.
	96.3 / F.78	Mitigation of traffic safety impacts.

<u>No./Name/Agency/Date</u>	<u>Comment Code/ Response Code</u>	<u>Environmental Point</u>
	96.4 / F.18, O.5	Safety impacts of the Golf Links Road connection.
	96.5 / J.107	Trash dumping along local roads.
	96.6 / P.13	Inadequate ranking of alternatives.
97. Gary Zimmerman, Dunsmuir Ridge Alliance, 2-14-91	97.1 / D.41	Characterization of project as "infill" challenged.
	97.2 / D.1	Project part of Bay Area Greenbelt.
98. Jerry Belden, President, Chabot Park Highlands Association, 2-15-91	98.1 / D.33	Gross density.
	98.2 / P.14	Alternative PUD plan.
	98.3 / G.9	Impacts of grading in first phase.
	98.4 / E.10	Visibility of north side of project.
	98.5 / E.10	Impacts on views of north side.
	98.6 / F.19	Public transit as mitigation.
	98.7 / F.20	Proposed mitigation at Peralta Oaks/ 106th Street.
	98.8 / F.21	Cumulative traffic impacts of the quarry site development and to EBRPD office.
	98.9 / F.22	Cost of street improvements.
	98.10 / F.18, O.6	Study of Golf Links Road connector.
	98.11 / H.4	Runoff onto the Drinnen property.
	98.12 / F.18, O.6	Study of Golf Links Road connection.

<u>No./Name/Agency/Date</u>	<u>Comment Code/ Response Code</u>	<u>Environmental Point</u>
	98.13 / J.16	Fire needs mitigation.
	98.14 / F.18	Study of Golf Links Road connection.
	98.15 / D.7	Construction period impacts within Chabot Park Highlands.
	98.16 / J.66	Cost of school mitigation.
	98.17 / F.23	Impacts of pedestrian and bicycle traffic.
	98.18 / K.61, K.62	Implementation of CC&Rs.
	98.19 / K.1	Mitigation for tree removal.
	98.20 / L.3	Impact of topography of site on auto emissions.
	98.21 / D.34, E.20, E.53	Impact on views from I-580/PUD permit criteria.
	98.22 / K.1	Mitigation of tree removal.
	98.23 / O.7	Impact of access road through the Golf course.
	98.24 / D.41	Infill; ABAG requirements cannot be attained.
	98.25 / E.10	Mitigation of ridgeline housing.
	98.26 / C.3, D.33	Accuracy of basic project objectives. Density figure misleading.
	98.27 / C.6	Use of term "production" homes.
	98.28 / C.7	Height of rear elevation of townhouses.

<u>No./Name/Agency/Date</u>	<u>Comment Code/ Response Code</u>	<u>Environmental Point</u>
	98.29 / E.10	Mitigation of visual impacts on views from Chabot Park Highlands.
	98.30 / F.14	Cost responsibility for Peralta Oaks/Foothill Way extension and I-580 on-ramp alignment.
	98.31 / F.20	Mitigation of impacts on Peralta Oaks/Foothill extension.
	98.32 / G.88	Impacts of Peralta Oaks extension on EBMUD reservoir.
	98.33 / F.25	Use of Cranford Way as primary access.
	98.34 / G.9	Impacts of grading in Phase I.
	98.35 / T.3	Enforcement of required project approvals.
	98.36 / C.12	Sale of EBMUD property.
	98.37 / G.88	Impacts of Peralta Oaks extension on EBMUD reservoir.
	98.38 / D.61	Location of project induced employment growth.
	98.39 / D.16	Cumulative impact of 20-acre parcel.
	98.40 / D.33, D.34	Allowable density; consistency with PUD permit criteria.
	98.41 / J.76	Location of project with respect to required services.
	98.42 / E.10	Views of project from the north.
	98.43 / E.36	Effectiveness of landscape screening.

<u>No./Name/Agency/Date</u>	<u>Comment Code/ Response Code</u>	<u>Environmental Point</u>
	98.44 / E.10	Visual impact on Chabot Park Highlands.
	98.45 / E.10	Expansion of area described as "highly vulnerable."
	98.46 / E.10	Visual impacts on Chabot Park Highlands.
	98.47 / E.10	Reduce quantity of housing on northern segment of subarea D.
	98.48 / G.88	Safety of Dunsmuir Reservoir.
	98.49 / E.56	Limitation of building above 600' elevation.
	98.50 / E.34	Landscape screening conflict with view preservation.
	98.51 / F.46	Traffic impacts on Dutton and Estudillo Avenues.
	98.52 / F.26	MacArthur Boulevard/Foothill/Superior Avenue.
	98.53 / F.79	Construction period mitigation.
	98.54 / F.2	Mitigation of impacts on neighborhood quality and road safety.
	98.55 / F.5, J.109	Traffic impacts on San Leandro Roads.
	98.56 / F.80	Effectiveness of proposed park-and-ride mitigation.
	98.57 / F.28, J.33	Emergency access through Chabot Park Highlands.

<u>No./Name/Agency/Date</u>	<u>Comment Code/ Response Code</u>	<u>Environmental Point</u>
	98.58 / G.88	State Division of Safety of Dams review of Peralta Oaks extension.
	98.59 / G.88, J.77	Cost of water line replacement within the Peralta Oaks/Foothill extension.
	98.60 / J.8	Personnel increases as fire service mitigation.
	98.61 / F.28	Project access to Chabot Park Highlands.
	98.62 / I.2	View, noise, and crime impacts on Chabot Park Highlands residents.
	98.63 / F.24, O.8	Mitigation of roadway through the golf course.
	98.64 / E.10	Visual impacts on views from the north and northwest.
102. Jack A. Lindley, Supervising Civil Engineer, County of Alameda, 2-15-91	102.1 / H.5	Downstream sediment impacts.
	102.2 / H.6	Maintenance responsibility of retention basins.
	102.3 / H.15	Effectiveness of and responsibility for erosion control.
103. David Nunenkamp, Deputy Director, Permit Assistance, State Office of Planning and Research		Acknowledgement of compliance with state clearinghouse review requirements for draft environmental documents.

<u>No./Name/Agency/Date</u>	<u>Comment Code/ Response Code</u>	<u>Environmental Point</u>
107. H.K. White, Director, City of Oakland Office of Parks and Recreation	107.1 / J.67	Public neighborhood park.
	107.2 / J.67	Validity of existing park standards.
	107.3 / J.68	Lack of children-serving recreational facilities.
	107.4 / J.69	Demand for services at Sheffield Village recreation center.
	107.5 / D.10, J.70	Impacts on the 16th hole of the golf course.
	107.6 / D.11, J.78	Liability of City.
	107.7 / J.71	Onsite recreational opportunities.
	107.8 / J.67, J.114	Support for mitigation 2(a), opposition to mitigations 2(b) and 2(c). Opportunities to enhance open space and recreational facilities are more limited than reflected in the EIR.
	107.9 / D.21, J.79	Impacts on Dunsmuir House.
	107.10 / D.9, J.72	Impacts on Lake Chabot Golf Course.
	107.11 / D.9, J.72	Landlocking of Lake Chabot Golf Course/ability to meet championship status.
	107.12 / D.12, J.73	Golf course security.
113. Dr. James Nickolopoulos, 2-17-91	113.1 / T.6	Support for certification.
	113.2 / O.9	Emergency access.
	113.3 / O.10	Consideration of road gradients in design of alternatives.

<u>No./Name/Agency/Date</u>	<u>Comment Code/ Response Code</u>	<u>Environmental Point</u>
118. Fredric C. Herzer, Sheffield Village Homeowners Association, 2-18-91	118.1 / E.41	Need for landscape plan.
	118.2 / G.10	Presentation of proposed topography change.
	118.3 / K.1	Removal of dust and gases by trees.
	118.4 / K.1	Tree replacement mitigation.
	118.5 / K.2	Project relationship to city's Tree Preservation Ordinance.
	118.6 / E.37, K.37	Value of landscape mitigation.
	118.7 / K.38	Use of native plant species list in Appendix F.
	118.8 / K.39	Use of alders and box elder in landscape mitigation plan.
	118.9 / K.45	Lack of topsoil.
	118.10 / J.39	Water demand.
	118.11 / J.40	Regional water needs.
122. George Piperis, 2-18-91	122.1 / H.7	Impact of storm drainage related construction on parking for Pipers Smorgas Buffett.
134. Robert Martinez, Chabot Park Highlands Association, 2-20-91	134.1 / E.10	View of project homes from the north.
	134.2 / E.10	Mitigation of impacts on views from the north.

<u>No./Name/Agency/Date</u>	<u>Comment Code/ Response Code</u>	<u>Environmental Point</u>
	134.3 / E.28	Visual impacts of grading.
	134.4 / E.28, L.4	Air quality impacts of grading.
	134.5 / F.28	Access through Chabot Park Highlands.
	134.6 / F.28	Access through Chabot Park Highlands.
	134.7 / F.28	Cost of upgrading access.
	134.8 / F.29, J.4	Access improvements induce crime.
	134.9 / J.25	Fire service access.
	134.10 / J.72, O.11	Roadway impacts on Lake Chabot Golf Course.
144. Jan Zimmerman, Dunsmuir Ridge Alliance, 2-20-91	144.1 / C.17, F.30	Use of eminent domain to facilitate access road.
	144.2 / F.31	Need for Peralta Oaks-Foothill extension without project.
	144.3 / F.32	Funding for the Foothill/I-580 realignment.
	144.4 / F.32	Peralta Oaks/Foothill extension.
	144.5 / D.22	Impact on Dunsmuir House and Garden.
146. George Brandt, 2-21-91	146.1 / J.88	Cost of services to isolated project.
148. David W. Carpenter, Engineering Geologist, Sheffield Village Homeowners Association, 2-21-91	148.1 / G.52	Surface rupture potential.

<u>No./Name/Agency/Date</u>	<u>Comment Code/ Response Code</u>	<u>Environmental Point</u>
	148.2 / G.52	Vertical offset of the Hayward fault.
	148.3 / G.70, G.120	Activity status of Chabot fault.
	148.4 / G.91	Winter weather impacts on grading.
	148.5 / G.91	Revegetation.
	148.6 / G.110	Design of improvements crossing faults.
	148.7 / H.8	Flood retention basins.
David Carpenter, Engineering Geologist, Sheffield Village Homeowners Association, 3-18-89	148.8 / E.62	Increased visual impacts of flattened slopes.
David Carpenter, Engineering Geologist, Sheffield Village Homeowners Association, 11-29-89	148.9 / G.119, G.122, G.123	Controversy between PRA and Terratech as revealed by reports 1080H1 and 1080.
	148.10 / G.64	Discussion of Loma Prieta earthquake.
	148.11 / G.26, G.119	Ambiguity of DEIR geotechnical record.
152. Barbara Rivenes, Conservation Committee, Golden State Audobon Society, 2-21-91	152.1 / K.12	Loss of native grassland.
	152.2 / K.3	Loss of oak woodland and riparian drainages.

<u>No./Name/Agency/Date</u>	<u>Comment Code/ Response Code</u>	<u>Environmental Point</u>
	152.3 / K.18	Inadequate attention to wildlife, especially the Alameda whipsnake.
154. C. Scobee, Broadmoor Neighborhood Association, 2-21-91 and 2-25-91	154.1 / K.16	DFG participation in Alameda whipsnake trapping.
	154.2 / K.17	Trapping methodology.
	154.3 / K.17	Trapping methodology.
	154.4 / K.20	Experience of trappers.
	154.5 / K.21	Possibility of vandalism.
	154.6 / K.28	Characterization of wildlife food supply on site.
	154.7 / K.23	Whipsnake habitat.
	154.8 / K.22	Number of dead animals in traps.
	154.9 / K.29	Cumulative effect of landfill operation on wildlife.
	154.10 / K.43	Vegetation on Lands of Drinnen.
	154.11 / K.4	Age of onsite trees.
	154.12 / K.5	Oak woodland throughout the City.
	154.13 / K.6	Relevance of existing oak tree related regulation.
	154.14 / K.13	Plant vigor.
	154.15 / K.15	Definition of riparian.
	154.16 / K.15	Riparian species.

<u>No./Name/Agency/Date</u>	<u>Comment Code/ Response Code</u>	<u>Environmental Point</u>
	154.17 / K.40	Cultivated plantings.
	154.18 / K.36	Natural serpentine habitats.
	154.19 / K.36	Planting on exposed serpentine soil.
	154.20 / K.7	Effect of drought on plant identification.
	154.21 / K.8	Origin of black walnut trees.
	154.22 / K.30	Animal species found in oak woodland.
	154.23 / K.41	Landscape planting program.
	154.24 / K.42	Common vegetation.
	154.25 / K.41	Introduced plant species.
	154.26 / K.9	Diameter of mature coast live oaks.
	154.27 / K.10	Location of trees to be removed/methodology for estimating losses.
	154.28 / K.24	Impacts on sage scrub/whipsnake habitat.
	154.29 / K.46	Cumulative filling impacts.
	154.30 / K.31	Mortality impacts to animal species.
	154.31 / K.32	Impacts on resident wildlife activity.
	154.32 / K.32	Removal or relocation of wildlife.
	154.33 / H.5, K.44	Cumulative downstream sedimentation impacts.

<u>No./Name/Agency/Date</u>	<u>Comment Code/ Response Code</u>	<u>Environmental Point</u>
	154.34 / E.41, K.56	Vegetation and Wildlife Mitigation Plan.
	154.35 / K.38	Use of native plants in landscaping.
	154.36 / K.47	Effectiveness of educational brochures.
	154.37 / K.14	Plantings in crib walls.
	154.38 / K.1	Establishment of one-year-old seedlings.
	154.39 / K.1	Tree replacement ratio.
	154.40 / K.33	Impact of vehicle traffic on wildlife undercrossings.
	154.41 / K.33	Auto-related impacts on wildlife ponds.
	154.42 / K.48	Impacts of proposed ponds.
	154.43 / K.49	Residential fencing.
	154.44 / H.5, K.44	Cumulative sedimentation impacts on San Leandro Creek.
	154.45 / K.34	Replacement wildlife habitats.
157. Dennis L. Allen, Chief Engineer, EBMUD, 2-22-91	157.1 / E.42	Landscape plan.
	157.2 / E.42	Range of water conserving plants.
	157.3 / G.88, G.89, G.90	Peralta Oaks Extension impacts on Dunsmuir Reservoir.
	157.4 / G.62	Design and location of water lines across faults.

<u>No./Name/Agency/Date</u>	<u>Comment Code/ Response Code</u>	<u>Environmental Point</u>
	157.5 / C.13	Acquisition of rights through the Dunsmuir Reservoir property.
	157.6 / C.10	Design of water and sewer lines.
	157.7 / C.11	Acquisition of the Anthony Reservoir site.
	157.8 / J.51	Capacity of the sewer collection line.
	157.9 / J.41	Water supply and distribution system.
	157.10 / J.42	Use of the Chabot Filter Plant.
	157.11 / J.43	Use of alternative water sources.
	157.12 / E.45, J.44	Landscaping restrictions.
	157.13 / I.14, J.45	Construction period impacts of offsite water improvements.
	157.14 / H.9	Proof of adequacy of drainage mitigations.
	157.15 / J.11	Timing of fire hazard mitigation/ increased hazards to EBMUD land.
	157.16 / D.29, K.50	Mitigation for impacts on EBMUD open space.
158. Jerry Belden, President, Chabot Park Highlands Association, 2-22-91	158.1 / J.25, J.26, J.30	Fire protection information.
159. Michael D. Greenslade, 2-22-91	159.1 / E.49	Mitigation of visual impacts of project homes.
	159.2 / E.49, O.12	Single access road.

<u>No./Name/Agency/Date</u>	<u>Comment Code/ Response Code</u>	<u>Environmental Point</u>
	159.3 / E.49, O.13	Mitigation of visual impacts of access road.
162. Susan A.H. Holmes, 2-229-1	162.1 / J.39	Water supply impacts during drought.
	162.2 / I.3	Construction period noise.
	162.3 / E.64	Project will use bay views as selling point, while taking away hill views from Sheffield Village residents.
	162.4 / C.33	Compliance with construction planning schedule.
164. T.H. Lindenmeyer, Environmental Coordinator, East Bay Regional Park District	164.1 / F.76	Mitigation of traffic impacts at 106th Avenue and Peralta Oaks.
165. Toni Loveland, Sierra Club Volunteer, 2-22-91	165.1 / C.24, D.4	Surrounding land uses.
	165.2 / C.25	Visibility of project homes.
	165.3 / C.16, C.26	Right-of-way through EBMUD Dunsmuir Reservoir property.
	165.4 / C.27	Grade of emergency access road at Cranford Way.
	165.5 / G.34	Retaining walls failure.
	165.6 / E.41	Landscaping plan visual impacts.
	165.7 / C.28	Vesting Tentative Map.
	165.8 / C.29, E.57	Measure K Acquisition list.
	165.9 / D.15	Length and height of proposed masonry wall.

<u>No./Name/Agency/Date</u>	<u>Comment Code/ Response Code</u>	<u>Environmental Point</u>
	165.10 / K.35	Wildlife movement.
	165.11 / D.55	Accuracy of low housing cost estimates.
	165.12 / D.52	Updated inventory of vacant land.
	165.13 / D.56	Absorption of vacant land to meet housing need.
	165.14 / D.56	Housing potential in redevelopment areas.
	165.15 / D.36	Compatible density.
	165.16 / D.41	Definition of infill development.
	165.17 / D.49	Trickle-down effect.
	165.18 / E.48	Masonry wall as mitigation to visual impact.
	165.19 / K.36	Serpentine soil impacts on proposed vegetation.
	165.20 / F.33	Jurisdiction/location of vicinity intersections.
	165.21 / F.34, F.81	Traffic impacts on freeway.
	165.22 / G.4	Chabot fault information source.
	165.23 / G.54, G.119	Additional study of Chabot fault.
	165.24 / H.16	DFG data on water quality.
	165.25 / H.5	Cumulative impact of sedimentation on San Leandro Creek.

<u>No./Name/Agency/Date</u>	<u>Comment Code/ Response Code</u>	<u>Environmental Point</u>
	165.26 / K.17	Trapping techniques for the Alameda whipsnake.
167. Robert G. Miller, Hayward Exchange, 2-22-91	167.1 / D.28	Reference to open space.
	167.2 / B.1, B.2	Summary of areas of controversy.
	167.3 / A.1	Additional responsible and trustee agencies.
	167.4 / A.2, F.37	Ramp modifications/extension of Foothill Way timing.
	167.5 / B.5	Substitute the term "wall" with "fencing."
	167.6 / B.3, D.57	ABAG's housing needs determination.
	167.7 / B.3	Inaccurate summaries.
	167.8 / F.68	Crossing guard mitigation.
	167.9 / G.13	Terrace widths.
	167.10 / G.92	Building setbacks from slopes.
	167.11 / J.34	Locked gate emergency access.
	167.12 / J.106	Alternative access to cul-de-sacs.
	167.13 / D.13, J.73	Golf course security.
	167.14 / K.49	Fencing along rear of lots.
	167.15 / B.4	Policy consistency summary.
	167.16 / D.41	ABAG infill policies.

<u>No./Name/Agency/Date</u>	<u>Comment Code/ Response Code</u>	<u>Environmental Point</u>
	167.17 / C.1, C.2	Map references.
	167.18 / C.14	EBMUD roadway easement.
	167.19 / C.19	Bus shelter.
	167.20 / C.8	Proposed tree species.
	167.21 / C.9	Offsite actions required.
	167.22 / C.15	Acquisition of ROW for Peralta Oaks Drive/Foothill Way extension.
	167.23 / D.23	Dunsmuir House and Gardens landmark status.
	167.24 / D.26	Open space.
	167.25 / D.5	Adjacent land uses.
	167.26 / D.23	Dunsmuir House approvals, landmark status.
	167.27 / D.23	Impact of Dunsmuir House modifications.
	167.28 / D.3	Impacts on land use and open space pattern.
	167.29 / D.17	Growth-inducing impacts.
	167.30 / E.51	Characterization of the project site.
	167.31 / E.5	Figure 26. Selected surrounding viewpoints.
	167.32 / E.27	Figure 27. Selected Lake Chabot/ Castro Valley viewpoints.
	167.33 / E.50	Visual impacts on Lake Chabot.

<u>No./Name/Agency/Date</u>	<u>Comment Code/ Response Code</u>	<u>Environmental Point</u>
	167.34 / E.40, K.38	Characteristics of proposed tree species.
	167.35 / E.9	"Fairness" of Figures 29, 30, 31, and 32.
	167.36 / E.14	Figure 29.
	167.37 / E.55	Measure to mitigate visual impacts of Peralta Oaks Drive/Foothill Way extension.
	167.38 / F.36	Freeway LOS impacts.
	167.39 / F.38	Table 11.
	167.40 / F.36	Freeway segment impacts.
	167.41 / F.39	Table 13.
	167.42 / F.40	Table 14.
	167.43 / F.41	Construction truck routes.
	167.44 / F.42	Parking spaces on proposed Peralta Oaks Drive/Foothill Way extension.
	167.45 / G.1	Figure 51. Geologic map unclear.
	167.46 / G.20	Figure 54. USGS Landslide and Special Studies Zone Map.
	167.47 / G.36	Groundshaking impacts overstated.
	167.48 / G.65	Severity of Loma Prieta groundshaking.
	167.49 / G.37	Factors influencing groundshaking damage.
	167.50 / G.54	Surface fault rupture.

<u>No./Name/Agency/Date</u>	<u>Comment Code/ Response Code</u>	<u>Environmental Point</u>
	167.51 / G.68	Status of Chabot fault.
	167.52 / G.36	Groundshaking impacts overstated.
	167.53 / G.54	Onsite trenching and test pit analyses.
	167.54 / G.63	Earthquake damage to water lines.
	167.55 / G.104	Mitigation measures to reduce groundshaking impacts.
	167.56 / G.100	Geologic Hazard Abatement District.
	167.57 / H.10	Onsite drainage courses.
	167.58 / H.11	Earthquake-induced flooding.
	167.59 / F.43	Potential for rerouting of AC Transit lines.
	167.60 / I.4	Cumulative traffic noise impacts.
	167.61 / J.2	Police service impacts.
	167.62 / J.17	Fire hazard mitigation measures.
	167.63 / D.14, J.46	Water line golf course impacts.
	167.64 / J.55	Table 27.
	167.65 / J.55	School enrollment updates.
	167.66 / J.56	School transportation.
	167.67 / J.57	Project impacts on school capacity.
	167.68 / J.59	Distance from project site to schools.
	167.69 / J.60	Status of open enrollment.

<u>No./Name/Agency/Date</u>	<u>Comment Code/ Response Code</u>	<u>Environmental Point</u>
	167.70 / J.61	Year-round schools.
	167.71 / D.13, J.73	Impacts of mitigation measure 4a on golf course security.
	167.72 / F.44	A general plan amendment is not required for the street system to be private.
	167.73 / J.89	Street maintenance costs.
	167.74 / J.89	Table 31.
	167.75 / J.91	Cable TV subscription estimates.
	167.76 / J.36	Police and fire service costs.
	167.77 / K.25	Range of Alameda whipsnake.
	167.78 / K.52	Mitigation is proposed by applicant.
	167.79 / H.14, O.15	Bridge access drainage impacts.
	167.80 / I.5, O.14	Mitigation is proposed by applicant.
	167.81 / O.16	Single entry road with bridges is not acceptable.
	167.82 / P.1	No Project Alternative.
	167.83 / O.17, P.4	Infeasibility of Golf Links Road connection.
	167.84 / P.5	Alternative C impacts.
	167.85 / P.6	Alternative D impacts.
	167.86 / P.8	Alternative F impacts.
	167.87 / P.9	Alternative G impacts.

<u>No./Name/Agency/Date</u>	<u>Comment Code/ Response Code</u>	<u>Environmental Point</u>
	167.88 / P.10	Quarry site cannot be considered feasible.
	167.89 / P.11	Fairmont Hills site cannot be considered feasible.
	167.90 / P.11	Roberts Landing site cannot be considered feasible.
	167.91 / P.11	Marina High School site cannot be considered feasible.
	167.92 / R.1	Mitigation monitoring discussion is too general.
	167.93 / K.19	Alameda whipsnake trapping methods.
A. Irving D. Affeldt, C.E.G., Associate, Purcell, Rhoades & Associates, 2-4-91	167.A.1 / G.20	Figure 54. USGS Landslide and Special Studies Zone Map.
	167.A.2 / G.132	Purpose of onsite studies performed by Purcell, Rhoades & Associates (PRA).
	167.A.3 / G.92	PRA's setback recommendations.
	167.A.4 / G.100	Geologic Hazard Abatement District.
	167.A.5 / G.93	Proposed slope gradients.
	167.A.6 / G.13	Width of midslope terraces on graded slopes.
B. Steve Weinberger, Senior Traffic Engineer, TJKM, 1-17-91	167.B.1 / F.35	Existing freeway LOS.

<u>No./Name/Agency/Date</u>	<u>Comment Code/ Response Code</u>	<u>Environmental Point</u>
	167.B.2 / F.36	Freeway LOS impacts.
	167.B.3 / F.43	AC Transit lines 55 and 40.
C. Richard Olmstead, AIA, Olmstead & Hrovat, 2-7-91	167.C.1 / G.104	Groundshaking mitigation measures.
D. Malcolm J. Sproul, Principal, LSA Associates, Inc., 2-22-91	167.D.1 / K.51	Solid masonry wall mitigation measure.
	167.D.2 / K.25	Alameda whipsnake range.
	167.D.3 / R.1	Expand the mitigation monitoring program.
	167.D.4 / R.1	Mitigation monitoring program deficiencies.
E. Ray Bold, Principal, Charles W. Davidson Co., 2-22-91	167.E.1 / G.13	Width of drainage terraces.
	167.E.2 / F.45, G.107	Difficulty of constructing an additional emergency access.
	167.E.3 / P.7	Alternative E entry road alignment would be dangerous and inconsistent with good engineering practices.
	167.E.4 / O.16	Single entry road alignment with bridges is unacceptable.
F. Lloyd S. Cluff, Earthquake Consultant, 2-22-91	167.F.1 / G.36	General overstatement of earthquake effects.
	167.F.2 / G.1, G.36, G.54	Readability of Figure 51.

<u>No./Name/Agency/Date</u>	<u>Comment Code/ Response Code</u>	<u>Environmental Point</u>
	167.F.3 / G.36	Severity of potential earthquake damage overstated.
	167.F.4 / G.36, G.65	Severity of shaking during the Loma Prieta earthquake.
	167.F.5 / G.65	Loma Prieta groundshaking inaccurate.
	167.F.6 / G.37	Regional groundshaking potentials.
	167.F.7 / G.49	Surface fault rupture.
	167.F.8 / G.49	Surface fault rupture separate from ground failure.
	167.F.9 / G.1	Location of Chabot fault/clarity of Figure 51.
	167.F.10 / G.67	Activity status of the Hayward fault and the Chabot fault.
	167.F.11 / G.86	Date of discovery of fault creep along Hayward fault.
	167.F.12 / G.58	Risk of fault rupture to emergency access road.
	167.F.13 / G.61	Potential interruption of public utilities.
	167.F.14 / G.129	Application of San Francisco Earthquake Intensity scale; application of ABAG estimated cost factor.
	167.F.15 / G.29	Slope instability problems are mitigable.
	167.F.16 / G.58, J.35	Fire protection service.

<u>No./Name/Agency/Date</u>	<u>Comment Code/ Response Code</u>	<u>Environmental Point</u>
	167.F.17 / G.58	Overall level of risk.
G. Frederick L. Cannon, Vice President and Senior Economist, Bank of America	167.G.1 / T.6	Complete and well presented document.
H. Dr. Vera Pitts, Compeer Associates, Inc., 2-9-91	167.H.1 / J.55	Updated enrollment data.
	167.H.2 / J.55	Use of RDEIR tables 27 and 29.
	167.H.3 / J.55	Updated enrollment data.
	167.H.4 / J.56	Bus service.
	167.H.5 / J.57	Private school attendance.
	167.H.6 / J.60	Magnet schools program.
	167.H.7 / J.59	Driving distances.
	167.H.8 / J.61	Year round school calendar.
I. Hayward Exchange, 2-22-91	167.I.0 / P.17	Alternative sites analysis; latest court decision on <u>Goleta</u> .
168. Virginia Murphey, 2-22-91	168.1 / J.39	Adequacy of water supply.
	168.2 / G.7	Consistency with City geologic policy.
	168.3 / G.66	Regional seismicity/Loma Prieta earthquake irrelevant.
	168.4 / F.25	Emergency access gate on Cranford Way.
	168.5 / D.9, D.10, D.11	Impacts on the golf course, etc.

<u>No./Name/Agency/Date</u>	<u>Comment Code/ Response Code</u>	<u>Environmental Point</u>
	168.6 / F.25	Trip distribution through Sheffield Village.
	168.7 / F.46	Mitigation for traffic impacts on Estudillo Avenue.
	168.8 / F.47	Feasibility of path through the golf course.
	168.9 / C.18, F.30	Public purpose of taking land in Sheffield Village.
	168.10 / K.17	Adequacy of whipsnake trapping efforts.
	168.11 / K.11	Impacts of watering on oak trees.
	168.12 / G.121	Existence of faults on the site.
	168.13 / G.59	Safety of proposed grading.
	168.14 / K.1	Impacts of tree removal.
170. Doug Talmage, 2-22-91	170.1 / E.13	Contents of before and after views.
	170.2 / B.3	Inconsistency of summary and text.
	170.3 / P.3	Measure K as an alternative.
	170.4 / G.14	Consistency of grading approach with architect's intent.
	170.5 / E.43	Ability of revegetation to conceal grading.
	170.5 / O.18	Fair evaluation of Golf Links Road access.
	170.6 / O.19	Relative impacts to the golf course.

<u>No./Name/Agency/Date</u>	<u>Comment Code/ Response Code</u>	<u>Environmental Point</u>
	170.7 / O.20	Playability impacts on the golf course.
	170.8 / O.21	Access road conflicts with golfers.
	170.9 / O.22	Screening of road near the golf course.
	170.10 / J.31, O.23	Relationship of Hayward fault to Golf Link Road access.
	170.11 / J.31, J.32	Response time via proposed Golf Links Road access; reduce units to reduce firefighting needs.
174. Ray Cronin, 2-23-91	174.1 / J.92	Over-estimate of tax revenue from project.
	174.2 / J.62	Unacceptability of mobile classrooms.
	174.3 / G.46	Location of Hayward fault on development plan.
	174.4 / T.9	Superficial EIR.
175. Mac Davis, Sheffield Village Homeowners Association, 2-23-91	175.1 / G.24, G.34	Local slope instability history.
	175.2 / G.11, G.34	Local slope instability history.
	175.3 / G.11, G.34	Sheffield Village burying.
	175.4 / G.11	Use of unstable materials for fill.
179. Hazel H. Houston, 2-23-91	179.1 / K.1, K.11	Impacts on natural oaks.

<u>No./Name/Agency/Date</u>	<u>Comment Code/ Response Code</u>	<u>Environmental Point</u>
181. Gregory B. Putnam, President, Dunsmuir House and Gardens, Inc., 2-23-91	181.1 / E.30, I.6	Visual and noise impacts on Dunsmuir property.
	181.2 / E.30, I.7	Mitigation of noise impacts.
	181.3 / E.30	Mitigation of visual impacts.
	181.4 / E.30, O.24	Impacts of roadway alternatives.
	181.5 / C.21, O.25	Historical correctness of proposed entrance.
	181.6 / C.20	Review of access by Dunsmuir House.
	181.7 / C.22	Location of Visitor Station.
	181.8 / C.22	Location on 45-car parking lot for Dunsmuir House visitors.
	181.9 / F.48	Loss of 100 parking spaces.
	181.10 / F.48	Adequacy of 45-car parking lot.
	181.11 / C.22	Approval of proposed staff parking lot.
	181.12 / C.23	Phasing of Dunsmuir House construction.
187. Gerald Matteucci	187.1 / E.12	Adequacy of RDEIR discussion of poor project design for this geographic area.
	187.2 / D.6	Adequacy of RDEIR discussion of compatibility with surrounding neighborhoods and residents.

<u>No./Name/Agency/Date</u>	<u>Comment Code/ Response Code</u>	<u>Environmental Point</u>
	187.3 / J.80	Adequacy of RDEIR discussion of impacts on services.
	187.4 / T.14	RDEIR does not meet CEQA EIR requirements.
	187.5 / D.31	Inconsistency with City of Oakland guidelines and policies.
	187.6 / E.10	Visual impacts on Chabot Park Highlands.
188. C. Scobee, Officer, Broadmoor Neighborhood Association, 2-24-91	188.1 / F.50	Bancroft Avenue is primarily residential in the project vicinity.
	188.2 / F.50	Dutton Avenue and Estudillo Avenue are residential streets.
	188.3 / F.50	Dutton Avenue commercial collector designation is inaccurate.
189. Scott Sommerfeld, Dunsmuir Ridge Alliance, 2-24-91	189.1 / D.39	Ability for project to achieve conformity with City hillside policies.
	189.2 / D.39, E.43	Inability to mitigate significant impacts on sensitive natural setting.
	189.3 / E.43	Additional visual analysis requested to examine effectiveness of landscape mitigations.
	189.4 / E.43, F.51, O.26	Reroute primary access through the golf course from Golf Links Road.
	189.5 / D.32	Project conflicts with policy to reserve the most appropriate portions of a site as open space.

<u>No./Name/Agency/Date</u>	<u>Comment Code/ Response Code</u>	<u>Environmental Point</u>
	189.6 / D.32	Project could not achieve consistency with policy of preserving natural topography as much as possible.
	189.7 / D.40	Consistency with resource protection policies.
	189.8 / D.42	Project does not meet PUD permit criteria.
	189.9 / K.11	Project impact on remaining trees.
	189.10 / K.1	Tree replacement ratio and size.
	189.11 / J.47	Irrigation water anticipated.
	189.12 / E.38	Visual impacts resulting from dead landscaping.
	189.13 / P.2	Expand the discussion of the no project alternative to include additional consideration of natural factors.
190. Gary Zimmerman, 2-24-91	190.1 / O.27	Status of road access proposals.
	190.2 / E.47	Light and glare impacts of tennis courts.
	190.3 / J.15, J.16	Fire service mitigation.
	190.4 / J.16, J.21, J.30, J.31	Medical emergency calls.
	190.5 / J.21, J.30	Sprinklers as mitigation for emergency services.
	190.6 / E.34	Visual screening versus maintenance of views.

<u>No./Name/Agency/Date</u>	<u>Comment Code/ Response Code</u>	<u>Environmental Point</u>
	190.7 / G.101	Geologic Hazard Abatement District.
	190.8 / E.16, E.47	Light and glare impacts on views from Lake Chabot and Chabot Regional Park.
	190.9 / E.44, E.47	Mitigation of tennis court light and glare impacts.
	190.10 / E.44	Implementation responsibility of the CC&Rs related to night time lighting.
	190.11 / E.47	Automatic shutoff switch as mitigation for tennis court lighting impacts.
	190.12 / E.16	Location of offsite vantage points.
	190.13 / F.52	New studies of traffic levels after the Loma Prieta earthquake.
	190.14 / E.24	Cumulative visual impacts on offsite vantage points.
	190.15 / G.11, G.15	Naturally occurring asbestos on Fairmont Ridge.
	190.16 / G.11	Location and stability of access road proposed on weak rock types.
	190.17 / G.11, G.15	Impacts of grading on serpentine rocks (i.e., naturally occurring asbestos).
	190.18 / K.36	Revegetation within serpentine soils.
	190.19 / D.43	Status of Fairmont Hills Specific Plan.
	190.20 / D.43	Ranking of alternative H-2.

<u>No./Name/Agency/Date</u>	<u>Comment Code/ Response Code</u>	<u>Environmental Point</u>
	190.21 / D.1, D.2	Significance of site as part of the Bay Area Greenbelt.
	190.22 / D.35	Relationship to the <u>OCP</u> policy on zoning and density.
	190.23 / D.35	Compatibility of project with hillside conditions.
	190.24 / D.42	Consistency with PUD permit criteria.
	190.25 / D.44	Location of Fairmont Hills/Status of specific plan.
	190.26 / D.18	Growth inducing impacts of the project.
	190.27 / D.44	Location of Fairmont hills.
	190.28 / D.43	Status of Fairmont Hills specific plan.
	190.29 / D.44	Status of Fairmont Hills specific plan.
	190.30 / D.44	Status of Fairmont Hills specific plan.
	190.31 / D.44	Status of Fairmont Hills specific plan.
	190.32 / D.41	Consistency with ABAG policies.
	190.33 / D.41	Consistency with ABAG infill policies.
	190.34 / F.53	Consistency with ABAG transportation policies.
	190.35 / D.45	Relationship to EBRPD plans.
	190.36 / D.45	Relationship of property to Measure AA.

<u>No./Name/Agency/Date</u>	<u>Comment Code/ Response Code</u>	<u>Environmental Point</u>
	190.37 / E.4	Visual impact on views from Fairmont Ridge.
	190.38 / E.32	Cumulative visual impacts on the park.
	190.39 / K.36	Growth of revegetation in serpentine soils.
	190.40 / E.54	Clarity of alternatives versus mitigations.
	190.41 / E.54	Preparation of an EIR for alternatives.
	190.42 / O.28	Adequacy of proposed mitigation for access road.
	190.43 / O.29	Adequacy of roadway design.
	190.44 / F.16	AC Transit service to the site.
	190.45 / O.30	Level of impact of access road alternatives.
	190.46 / D.44	Distinction between Fairmont Ridge and the quarry sites.
	190.47 / F.54	Impact of collector through to Golf Links Road on local circulation.
	190.48 / G.11, G.25	Consistency of statements relating to geology.
	190.49 / G.25	Consistency with published geotechnical reports on site's geotechnical stability.
	190.50 / G.17	Seismic effect on structures located on fill.

<u>No./Name/Agency/Date</u>	<u>Comment Code/ Response Code</u>	<u>Environmental Point</u>
	190.51 / G.15	Naturally occurring asbestos.
	190.52 / L.5	Construction period air quality impacts.
	190.53 / O.31	Geotechnical viability of access alternatives.
	190.54 / D.44	Location of Fairmont Hills specific plan.
	190.55 / G.15	Naturally occurring asbestos.
	190.56 / J.18	Fire Department recommended conditions of approval versus RDEIR mitigations.
191. John Bailey, 2-25-91	191.1 / I.8	Level of significance for noise impacts.
	191.2 / I.9	Existing background noise.
	191.3 / I.10	Visual impact of noise barriers.
192. John Bailey, P.E., Dunsmuir Ridge Alliance, 2-25-91	192.1 / G.27	Landslides neither verified by field visits by USGS nor classified.
	192.2 / G.20	Figure 54 - geologic precautions and need for future study.
	192.3 / G.22, G.125	Mention of one onsite landslide.
	192.4 / G.126	Potential for earthquake-triggered sliding.
	192.5 / G.66	Applicability of the effects of Loma Prieta.

<u>No./Name/Agency/Date</u>	<u>Comment Code/ Response Code</u>	<u>Environmental Point</u>
	192.6 / G.105	Effectiveness of UBC standards in protecting structures from maximum credible earthquake damage.
	192.7 / G.2	Pervasively fractured vs. deeply fractured.
	192.8 / G.16	Settlement potential.
	192.9 / G.94	Foundation design to accommodate fill.
	192.10 / G.16	Differential settlement potential.
	192.11 / G.16	Potential for earthquake-induced settlement and differential settlement.
	192.12 / G.16	Completion of settlement.
	192.13 / G.16	Quantity of settlement.
	192.14 / G.68	Activity status of the Chabot fault.
	192.15 / G.51	Maximum expected horizontal displacement on the Hayward fault.
	192.16 / G.52	Maximum expected vertical displacement on the Hayward fault.
	192.17 / G.120	Avoidance of trenching where Terratech trenched.
	192.18 / G.120, G.121	Potential for existence of faulting on site.
	192.19 / G.133	Substantiation of Mr. Cluff's report.
	192.20 / G.127	Inducement of lateral forces by undamped bedrock.

<u>No./Name/Agency/Date</u>	<u>Comment Code/ Response Code</u>	<u>Environmental Point</u>
	192.21 / G.127	Performance of residential structures designed for .14 G at .70 G expected lateral acceleration.
	192.22 / G.38	Mr. Cluff's qualifications.
	192.23 / G.8	Existence of onsite swales.
	192.24 / G.34	Retaining walls and potential for slides, creep, etc.
	192.25 / G.11	Debris in rear yards of homes along Revere Avenue.
	192.26 / E.29, G.14	Visual impact of drainage terraces.
	192.27 / G.12	Deletion of Figure 59.
	192.28 / G.38	The validity of Mr. Cluff's comments.
	192.29 / G.38	Relative structural damage potential.
	192.30 / K.11	Access roadway grading/tree impacts.
	192.31 / K.11	Soil removal and tree survival threshold.
	192.32 / G.118	Reestablishment of vegetation.
	192.33 / G.104	Mitigation measures exceeding the UBC.
	192.34 / E.29, G.14	Visual and habitat impacts of excessive cutting.
	192.35 / G.96	Evaluation of conditions during grading operations.

<u>No./Name/Agency/Date</u>	<u>Comment Code/ Response Code</u>	<u>Environmental Point</u>
193. Bailey, Scobee, Sommerfeld, and Pimentel, Dunsmuir Ridge Alliance, 2-25-91	193.1 / P.12	Inadequate discussion of alternatives.
195. Janet S. Cobb, Director, California Oak Foundation, 2-25-91	195.1 / K.1	Ratio and size of oak replacement effort.
196. E. Francis David, Dunsmuir Ridge Alliance, 2-25-91	196.1 / T.10	Inadequacies, inconsistencies, and inaccuracies of RDEIR.
	196.2 / T.11	Mitigation of Dunsmuir Ridge impact.
	196.3 / O.32	Improvements to Golf Links Road.
	196.4 / J.37	Funding for expanded police service.
	196.5 / J.5	Impacts on police service during construction period.
	196.6 / J.39	Impact on water supply.
	196.7 / T.10	Issues unexplored, inadequately addressed, based on inaccurate studies.
197. Ralph A. Frey, 2-25-91	197.1 / J.54	Impacts on San Leandro schools.
	197.2 / F.55	Acknowledgement of traffic impacts on San Leandro schools.
	197.3 / F.2	Inaccurate analysis of potential impacts on San Leandro residential streets.
	197.4 / F.2	Impacts on local San Leandro streets.

<u>No./Name/Agency/Date</u>	<u>Comment Code/ Response Code</u>	<u>Environmental Point</u>
	197.5 / F.2	Inconsistency in RDEIR conclusions on neighborhood impacts.
	197.6 / F.82	Consistency with San Leandro General Plan (traffic).
	197.7 / F.56	Inconsistent statements relating to Dunsmuir House parking.
	197.8 / G.117	Incomplete section on Geotechnical Factors.
	197.9 / G.7, G.117	Inconsistency with <u>OCP</u> geotechnical policies.
	197.10 / G.24	Adequacy of geotechnical analysis.
	197.11 / G.35, G.82	Credibility of RDEIR in light of geotechnical problems in Hayward.
	197.12 / G.109	Content of proposed geotechnical mitigations.
	197.13 / G.116	Future litigation possibility.
	197.14 / P.3	No project alternatives w/Measure K.
198. John Glaub, Board Member, Estudillo Homeowners Association, 2-25-91	198.1 / T.12	Extent of changes in RDEIR raises credibility questions.
	198.2 / F.57	Traffic impact analysis versus environmental impact analysis of traffic.
	198.3 / F.57	Limited level of traffic impact analysis.
	198.4 / F.58	Erroneous intersection performance conclusions.

<u>No./Name/Agency/Date</u>	<u>Comment Code/ Response Code</u>	<u>Environmental Point</u>
	198.5 / F.59	Use of 1988 instead of 1990 traffic data.
	198.6 / F.60	Estudillo/Bancroft intersection LOS.
	198.7 / F.61	Omitted intersections.
	198.8 / F.62	Weekend traffic.
	198.9 / F.63	Feasibility of traffic mitigation measures.
	198.10 / F.64	Level of detail regarding the feasibility of MacArthur/Estudillo mitigation measures.
	198.11 / T.1	Significant unavoidable environmental impacts.
	198.12 / T.12	Flawed CEQA process.
199. William R. Holman, 2-25-91	199.1 / D.60	Citywide impacts of policy violations.
	199.2 / T.13	Vagueness of mitigation measures.
	199.3 / E.25	Conflicting mitigation (vegetative screening versus fuel impacts).
	199.4 / H.12	Location of drainage retention basins.
	199.5 / C.4	Project open space.
	199.6 / C.18, F.30	Acquisition of private land for access road.
201. Robert M. Johnson, Jr., 2-25-91	201.1 / F.31	Advantages of the Peralta Oaks extension.

<u>No./Name/Agency/Date</u>	<u>Comment Code/ Response Code</u>	<u>Environmental Point</u>
203. Paul Merrick, President, Sheffield Village Homeowners Association, 2-25-91	203.1 / G.122	1969 Terratech study finding evidence of faulting.
	203.2 / G.122	Failure to disclose disagreements between experts.
204. Paul Merrick, Dunsmuir Ridge Alliance, 2-25-91		Cover letter submitting letter from the Sierra Club to DFG regarding the RDEIR, and a duplicate of the 2-15-91 letter from Alameda County Public Works.
A. David Nesmith, Conservation Director, San Francisco Bay Chapter, Sierra Club	204.A.1 / K.17	Methodology of whipsnake trapping.
	204.A.2 / K.17, K.25	Length of trapping period, range of whipsnake.
	204.A.3 / K.54	Other species of concern.
	204.A.4 / K.55	Regional importance of site.
	204.A.5 / K.26	Trapping in offsite riparian areas.
	204.A.6 / K.53	Impact of reduced water quality on habitat.
	204.A.7 / K.29	Impact of landfill operation on vegetation and wildlife.
	204.A.8 / K.58	Site plan revisions and project impacts.
	204.A.9 / D.16	Growth-inducing impacts, church site.
	204.A.10 / K.36	Serpentine soils in site.

<u>No./Name/Agency/Date</u>	<u>Comment Code/ Response Code</u>	<u>Environmental Point</u>
B. Jack A. Lindley, Supervising Civil Engineer		Duplicate; see comment letter #102.
205. Paul A. Merrick, Dunsmuir Ridge Alliance, 2-25-91 (cover letter); Troy Harper, 1-91	205.1 / T.14	Inadequacies and incompleteness of RDEIR.
	205.2 / J.48	Outdated data on water capacity.
	205.3 / J.49	Reflection of drought condition in mitigation measures.
	205.4 / J.50	Inadequate description of Peralta water supply zone.
	205.5 / F.65	Traffic impact assumption.
	205.6 / F.66	Cost of mitigation.
	205.7 / L.6	MTC air quality requirements.
	205.8 / T.15	Del Monte property contribution to cumulative impacts.
	205.9 / P.3	Measure K open space alternative.
	205.10 / D.58	Inadequate detail in housing analysis.
	205.11 / L.7	Comparative air quality impacts of project.
	205.12 / D.59	Cumulative housing effects on jobs housing balance.
206. Paul Merrick, Sheffield Village Homeowners Association, 2-25-91	206.1 / G.4, G.119	Inadequate discussion of findings from site specific geologic reports.

<u>No./Name/Agency/Date</u>	<u>Comment Code/ Response Code</u>	<u>Environmental Point</u>
	206.2 / G.122	Disagreement regarding onsite fault traces.
	206.3 / G.123	Disagreement as to whether middle and eastern fault traces are potentially active.
	206.4 / G.5	Terratech November 1974 report prepared for Continental Advisers, Inc.
	206.5 / G.4, G.119	Additional site-specific geotechnical reports.
	206.6 / G.4	Request copies of all Terratech reports.
	206.7 / G.4	Lack of reliance on Terratech reports.
	206.8 / G.4	Omission of David W. Carpenter reports.
	206.9 / G.119, G.122	Disagreement regarding mapping of eastern boundary fault traces.
	206.10 / G.119, G.122	Include site specific findings from Terratech's 1080A report.
	206.11 / G.75	Investigations on eastern portion of site besides PRA.
	206.12 / G.80	Relative position of Terratech and PRA trenches.
	206.13 / G.123	Basis for disagreement between PRA and Terratech.
	206.14 / G.122, G.123	Additional fault traces identified by Terratech.

<u>No./Name/Agency/Date</u>	<u>Comment Code/ Response Code</u>	<u>Environmental Point</u>
	206.15 / G.123	No mention of Cooper, Clark and Associates.
	206.16 / G.122, G.123	Disagreement with Terratech 1080H1 and 1080H2 not disclosed.
	206.17 / G.123	Carpenter (11-89) review of Terratech 1080G trench logs and findings.
	206.18 / G.77, G.82, G.123	Western branches of Chabot fault system versus eastern branches of Hayward fault system.
	206.19 / G.83	Effect of active fault on emergency access design.
	206.20 / G.70	Site-specific investigations east of the site.
	206.21 / G.57, G.83	Evacuation of residents following earthquake.
	206.22 / G.57, G.83	Site specific geotechnical investigations to ensure adequate access after major earthquake.
	206.23 / G.70	Activity status of Chabot fault.
	206.24 / G.78	What site specific geotechnical investigations performed regarding the inactivity of the Chabot fault?
	206.25 / G.78	No evidence of active faulting found.
	206.26 / G.119	Setback recommendations.
	206.27 / G.48	Mr. Cluff's review incomplete.
	206.28 / G.4	Excluded geotechnical information.

<u>No./Name/Agency/Date</u>	<u>Comment Code/ Response Code</u>	<u>Environmental Point</u>
	206.29 / G.122	Disagreement regarding the nature of the fault.
	206.30 / G.121	Existence of faults in areas planned for housing.
	206.31 / G.83	Emergency access blockage.
	206.32 / G.78, G.123	Contested or uninvestigated faults on eastern boundary.
	206.33 / G.78	Fault traces along lineations 1 and 2.
	206.34 / G.82	Exclusion of Terratech and Carpenter evaluations.
207. Sheila O'Connell, Sheffield Village Homeowners Association, 2-25-91	207.1 / J.115	Cost impacts to Oakland Unified School District.
	207.2 / J.58	Definition of school capacity.
	207.3 / J.63	Implementation time of the boundary change.
	207.4 / J.64	Lowered probability of the boundary change.
	207.5 / J.62	Portable classrooms impact on outdoor recreational space.
	207.6 / J.62	Review of portable classrooms.
	207.7 / J.65	Methodology of impact analysis.
	207.8 / J.61	Explanation of year round schools.
	207.9 / J.61	Year round schools as mitigation.

<u>No./Name/Agency/Date</u>	<u>Comment Code/ Response Code</u>	<u>Environmental Point</u>
	207.10 / J.52	School access impact mitigation.
208. Ken Pimentel, Sheffield Village Homeowners Association, 2-25-91	208.1 / J.93	Cost/benefit of project.
209. Ken Pimentel, Sheffield Village Homeowners Association, 2-25-91	209.1 / G.46	Lack of attention to Hayward fault.
	209.2 / G.46	Geotechnical inadequacies of EIR.
	209.3 / G.46	Figure showing location of Hayward fault across access road.
	209.4 / G.110	Adequacy of fault crossing safety features.
	209.5 / G.91	Effectiveness of "winterization" scheme.
	209.6 / G.72, G.130	Activity status of Chabot fault.
	209.7 / G.40	Regional groundshaking potentials.
	209.8 / G.40	Accuracy of discussion of regional groundshaking potentials.
	209.9 / G.40, G.64	Downplaying of seismic hazards.
	209.10 / G.40	Downplaying of regional groundshaking.
	209.11 / G.55, G.64	New probability on Bay Area faults.
	209.12 / G.64	Probability after Loma Prieta.
	209.13 / G.44	Quantification of past earthquakes.
	209.14 / G.40	Hayward fault treated too lightly.

<u>No./Name/Agency/Date</u>	<u>Comment Code/ Response Code</u>	<u>Environmental Point</u>
	209.15 / G.51	Accuracy of description of horizontal displacement.
	209.16 / G.51	Difference between maximum and average horizontal offset.
	209.17 / G.51	Credibility of RDEIR.
	209.18 / G.51	Maximum horizontal displacement.
	209.19 / G.51	CDMG misquoted.
	209.20 / G.39, G.51	Underestimation of maximum earthquakes.
	209.21 / G.51	Underestimation of motion intensity.
	209.22 / G.57	Will crib walls fail?
	209.23 / G.51	Underestimation of maximum earthquake.
	209.24 / G.51	Underestimation of motion intensity.
	209.25 / G.39	Applicability of CDMG report.
	209.26 / G.39, G.54	Lack of site specific work on Hayward fault.
	209.27 / G.39, G.54	Site specific information on Hayward fault.
	209.28 / G.39, G.124	Inadequate consideration of fault hazards.
	209.29 / G.39, G.54	Details of Hayward fault on the property ignored.
	209.30 / G.39	Applicability of CDMG report.
	209.31 / G.52	Problems with using CDMG data.

<u>No./Name/Agency/Date</u>	<u>Comment Code/ Response Code</u>	<u>Environmental Point</u>
	209.32 / G.39, G.52	Applicability of CDMG report.
	209.33/ G.42, G.52	Site-specific max. credible earthquake exists.
	209.34 / G.52	Vertical movement of Hayward fault.
	209.35 / G.51, G.52	Alternate numbers for Hayward fault, glossing over of potential maximum horizontal and vertical offsets of maximum credible earthquake.
	209.36 / G.41, G.55, G.57	Maximum credible earthquake must be defined.
	209.37 / G.47, G.54, G.106	Omission of call for site specific studies.
	209.38 / G.47	Suppression of comments by Lloyd S. Cluff.
	209.39 / G.52	Vertical offset not mentioned.
	209.40 / G.39	Inconsistent and unreliable geotechnical work.
	209.41 / G.54, G.57, G.97	Inadequate coverage of seismic hazards, site-specific analysis needed.
	209.42 / G.39, G.46, G.52, G.124	Misrepresentation of CDMG data.
	209.43 / G.113	Possible to develop projects.
	209.44 / G.140	Retaining wall erosion impacts.
210. Ken Pimentel, Sheffield Village Homeowners Association, 2-25-91	210.1 / F.67, O.33	Comparative steepness of alternative access road.

<u>No./Name/Agency/Date</u>	<u>Comment Code/ Response Code</u>	<u>Environmental Point</u>
211. Ken Pimentel, Sheffield Village Homeowners Association, 2-25-91	211.1 / O.34	Graphic regarding project access road/comparative steepness of access road.
212. Ken Pimentel, Sheffield Village Homeowners Association, and Scott Sommerfeld, 2-25-91	212.0 / E.1	Visual impacts simulations by licensed landscape architect.
213. Ken Pimentel, Sheffield Village Homeowners Association, Dunsmuir Ridge Alliance, 2-25-91		Original comments on DEIR resubmitted.
214. Toni Reynolds, Dunsmuir Ridge Alliance, 2-25-91	214.1 / F.33	Location/jurisdiction of MacArthur Blvd./Dutton Ave. intersection.
	214.2 / F.33	MacArthur Blvd. between Dutton Ave. and Estudillo Ave. is in San Leandro.
	214.3 / F.33	Critical road system locations.
	214.4 / F.52	Traffic counts prior to Loma Prieta earthquake.
	214.5 / F.61	Callan Ave./Bancroft Ave. and Davis Street/E. 14th St. intersections.
	214.6 / F.59	Inconsistency between 1988 and 1990 traffic counts.
215. Toni Reynolds, Dunsmuir Ridge Alliance, 2-25-91	215.1 / F.68	Payment responsibility for crossing guard.
	215.2 / F.69	Crossing guard for Estudillo/ MacArthur.

<u>No./Name/Agency/Date</u>	<u>Comment Code/ Response Code</u>	<u>Environmental Point</u>
	215.3 / F.70	Responsibility for I-580 northbound offramp exclusive left-turn lane.
	215.4 / F.64	Estudillo/MacArthur intersection improvement.
	215.5 / F.2	Neighborhood quality of life impacts.
216. Toni Reynolds, Dunsmuir Ridge Alliance, 2-25-91	216.1 / J.12	Fire truck access.
	216.2 / J.27	Station No. 20 first-alarm station status.
	216.3 / J.3	Routine police patrol.
217. Toni Reynolds, Dunsmuir Ridge Alliance, 2-25-91	217.1 / J.68	Adequacy of recreation area facilities.
	217.2 / F.49	Adequacy of parking.
218. C. Scobee, Officer, Broadmoor Neighborhood Association	218.1 / J.59	Distance from houses to schools.
	218.2 / J.81	Distance from project houses to parks.
	218.3 / J.81	Misleading description of distances from project.
219. Robert Sereda, Chabot Park Highlands Association, 2-25-91	219.1 / G.112	Unbuildable site due to earthquake faults, no mitigation possible.
	219.2 / G.88	Lack of information from EBMUD on safety of Dunsmuir Reservoir.

<u>No./Name/Agency/Date</u>	<u>Comment Code/ Response Code</u>	<u>Environmental Point</u>
	219.3 / G.88	Stability of Dunsmuir Reservoir.
	219.4 / G.88	Peralta Oaks extension a grave mistake.
220. Sewall/Beeman, Dunsmuir Ridge Alliance	220.1 / K.27	Photo of Alameda Whipsnake.
222. unsigned, Dunsmuir Ridge Alliance, 2-25-91	222.1 / G.34	Access road and landslide conditions.
	222.2 / G.57	Emergency access with landslides.
	222.3 / G.23	Nearby landslide incidents mapped.
	222.4 / G.53	Past history of onsite fault rupture.
	222.5 / G.53	Past history of onsite fault rupture and branching cracks not revealed.
	222.6 / G.87, G.111	Extent of Hayward fault creep not mentioned.
	222.7 / G.114	How will notification be provided?
	222.8 / G.115	Who will own streets? Will City be liable?
	222.9 / G.101	How will the GHAD operate?
	222.10 / G.101, G.115	How will drainage maintenance be enforced by City? Protection of City against liability.
	222.12 / G.57, G.111	Fault creep-related maintenance costs.
	222.13 / G.87	Fairmont Ridge DEIR fault creep discussion.
	222.14 / G.50	Fault movement understated.

<u>No./Name/Agency/Date</u>	<u>Comment Code/ Response Code</u>	<u>Environmental Point</u>
	222.15 / G.56, G.57, G.60	Probability of road and utility cut off due to major seismic event.
	222.16 / O.37	Survival probabilities of alternative roads.
	222.17 / G.19, G.28, G.32	Slope instability analysis incomplete.
	222.18 / G.30	Onsite springs.
	222.19 / G.73	Fault rupture damage to homes.
223. unsigned, Dunsmuir Ridge Alliance, 2-25-91	223.1 / G.101	Geologic Hazard Abatement District.
	223.2 / G.121	Other faults onsite besides Hayward fault.
	223.3 / G.74	Fault in an area proposed for housing.
	223.4 / E.44	Homeowners association and applicant's landscape screening maintenance and monitoring responsibility.
	223.5 / E.41	Specificity regarding landscaping mitigation measures for visual impacts of access road.
	223.6 / E.44	Landscape screening enforcement.
	223.7 / E.44	Monitoring of landscape screening.
	223.8 / E.41	Specificity regarding proposed landscaping.
	223.9 / E.46	Views from Anthony Chabot Regional Park could not be mitigated.

<u>No./Name/Agency/Date</u>	<u>Comment Code/ Response Code</u>	<u>Environmental Point</u>
225. unsigned, 2-25-91	225.1 / J.8, J.18	All Fire Department mitigations should be implemented.
	225.2 / J.20	Onsite fire station.
	225.3 / G.107	Secondary access not subject to fault rupture.
	225.4 / G.97	Reliance on future studies for landslide impacts and mitigations.
	225.5 / G.98	Application of standard practices for retaining walls not a mitigation.
	225.6 / G.95	Discovery of adverse conditions, mitigation.
	225.7 / G.97	Future geologic study.
	225.8 / K.59	Vegetation mitigations inadequate.
	225.9 / K.60	Wildlife impacts during habitat restoration period.
	225.10 / G.25	Inconsistencies regarding severity of slope instability impacts.
	225.11 / G.11, G.34, G.55, G.57	Destruction of access road due to geotechnical factors.
	225.12 / G.99	Effectiveness of access road geotechnical mitigations.
	225.13 / G.101	Geologic Hazard Abatement District.
	225.14 / C.31	Status of project without some required approvals.
226. unsigned, 2-25-91	226.1 / G.85	Peralta Water Tank leakage impacts.

<u>No./Name/Agency/Date</u>	<u>Comment Code/ Response Code</u>	<u>Environmental Point</u>
	226.2 / G.85	Peralta tank leakage and erosion record.
	226.3 / G.85	Liability for Peralta tank-related damages.
	226.4 / G.85	Notification regarding water tank risks.
	226.5 / G.85	Include a map of areas of site subject to damage from Peralta tank.
	226.6 / G.85	Impacts associated with faults located under the Peralta tank site (Figure 51) and groundshaking impacts.
	226.7 / G.85, G.115	Liability for Peralta tank-related damages.
	226.8 / G.85	Peralta tank leakage or failure/human health and safety impacts.
227. Gary Zimmerman, 2-25-91	227.1 / J.38	Fiscal impacts of changes in fire service mitigation.
	227.2 / J.18, J.38	Inclusion of Fire Department mitigation.
	227.3 / J.30	Medical emergency portion of fire service calls.
	227.4 / J.30	Medical emergencies.
	227.5 / J.28	Deficient fiscal analysis; Fire Station 17 excluded.
	227.6 / J.38	Inaccurate fiscal analysis cost estimate of Fire Department--recommended mitigation.

<u>No./Name/Agency/Date</u>	<u>Comment Code/ Response Code</u>	<u>Environmental Point</u>
	227.7 / J.94	RDEIR analysis of expenditures for repayment of indebtedness.
	227.8 / J.94	Comparison of NOHASP fiscal analysis methodology.
	227.9 / J.94	Treatment of property override revenue/repayment of long term indebtedness.
	227.10 / J.94	Revenues of tax override versus expenditures for repayment of debt.
	227.11 / J.94	Justification for inclusion of tax override as a revenue source.
	227.12 / J.95	Insurance liability claim.
	227.13 / J.96	Sales tax revenues.
	227.14 / J.102	Expenses of offsite road wear and tear.
228. Gary Zimmerman, Dunsmuir Ridge Alliance, 2-25-91	228.1 / J.38, J.110	Costs of mitigation of fire service impacts, conventional wisdom.
	228.2 / J.38, J.83	Underestimation of costs of fire service mitigation.
	228.3 / J.38	Mitigation versus policy.
	228.4 / J.37, J.100	Underestimation of costs of maintenance.
	228.5 / J.92	Overestimation of revenues.
	228.6 / J.37	Police operation costs.
	228.7 / J.90	Offstreet maintenance costs.

<u>No./Name/Agency/Date</u>	<u>Comment Code/ Response Code</u>	<u>Environmental Point</u>
	228.8 / J.82	Maintenance of service roads, and drainage system.
	228.9 / J.101	Property tax revenues.
	228.10 / J.101	Property values.
	228.11 / J.96	Sales tax revenues.
	228.12 / J.92	Optimistic estimates of revenue due to low cost mitigations.
	228.13 / J.97	Data periods of revenue estimates.
	228.14 / J.98	Annual estimates of net revenues/losses.
	228.15 / J.28	Inappropriate fire service mitigation.
	228.16 / J.99	Variation of estimates by year.
	228.17 / C.34, P.3	Omission of Measure K bond measure.
	228.18 / C.34	Description of Measure K.
	228.19 / C.34	Matching funds for Measure K.
	228.20 / P.3	Measure K as a project alternative.
	228.21 / J.83	Problems with assumed mitigation.
	228.22 / J.83	Low versus high cost mitigation measures.
	228.23 / J.29	Costs of opening a fire station.
	228.24 / J.15	Standard City policy as mitigation.
	228.25 / J.11	Effectiveness of mitigations against wildfires.

<u>No./Name/Agency/Date</u>	<u>Comment Code/ Response Code</u>	<u>Environmental Point</u>
	228.26 / J.24	Fire protection access to adjacent property.
	228.27 / J.111	Cost of fire service to the hillside site.
	228.28 / J.23	Cost of fire service to the remote site.
	228.29 / J.22	Impact on level of service at Station 26 (fire and emergency).
	228.30 / J.31	Actual length of response times to various portions of the site.
	228.31 / J.30	Lack of mitigations for impacts on emergency medical services.
	228.32 / J.19	Circumstances of closing Station 17.
	228.33 / J.15	Recommended fire mitigations as standards.
	228.34 / J.15	Mitigation relationship to NFPA standards.
	228.35 / J.15	Mitigation relationship to UBC.
	228.36 / J.15	Mitigation relationship to City hillside fire protection policy.
	228.37 / J.11	Protection against wildfire in open space areas.
	228.38 / J.12	Mitigation of wildfire across main access road.
	228.39 / J.13	Liability for damage due to wildfire.

<u>No./Name/Agency/Date</u>	<u>Comment Code/ Response Code</u>	<u>Environmental Point</u>
	228.40 / J.18	Effectiveness of proposed mitigation for impacts to fire services.
	228.41 / J.15	Validity of recommended mitigation of fire service impacts.
	228.42 / J.10	Implementation responsibility of wildfire mitigation.
	228.43 / J.14	Liability for wildfire.
	228.44 / J.14	Monitoring responsibility.
	228.45 / J.14	Fire Department participation in monitoring.
	228.46 / J.84	Maintenance responsibility.
	228.47 / J.8	Economic feasibility of mitigations.
	228.48 / J.22	Level of existing fire service to project vicinity.
	228.49 / J.22	Residences served by Station 26.
	228.50 / J.22, J.83	Choice of mitigations due to costs.
	228.51 / J.18	Exclusion of reopening fire station as mitigation measure.
	228.52 / J.101	Overestimation of housing turnover ratio.
	228.53 / J.101	Overestimation of housing value.
	228.54 / J.96	Inclusion of sales tax revenue.
	228.55 / J.102	Inclusion of fire and penalty revenues.

<u>No./Name/Agency/Date</u>	<u>Comment Code/ Response Code</u>	<u>Environmental Point</u>
	228.56 / J.37	Underestimation of comparative police service costs.
	228.57 / J.37	Underestimation of police operational costs.
	228.58 / J.7	Police backup from San Leandro.
	228.59 / J.103	Operation and maintenance costs.
	228.60 / J.31	Response times to specific areas in project.
	228.61 / J.112	Difference in population estimates from DEIR.
	228.62 / J.74	Distance to parks.
	228.63 / J.75	Relationship of park provisions to <u>OCP</u> policies.
	228.64 / E.31	Visual impacts to Dunsmuir House.
	228.65 / J.104	Cost to City of modification to Dunsmuir House.
	228.66 / J.105	Cost of I-580 improvements.
	228.67 / J.113	Hillside street maintenance costs.
	228.68 / G.33, J.82	Landslide repair costs.
	228.69 / J.102	Offsite street costs.
	228.70 / G.33, J.82	Landslide repair costs.
	228.71 / J.97	Time frame of the fiscal analysis.
	228.72 / J.15	Inclusion of cost of reopening fire station as mitigation for impacts to fire service.

<u>No./Name/Agency/Date</u>	<u>Comment Code/ Response Code</u>	<u>Environmental Point</u>
234. Paul A. Merrick, Sheffield Village Homeowners Association, 3-4-91	234.1 / G.21	Misrepresentation of onsite landslide risk.
	234.2 / G.21, G.39	Reliance on USGS maps.
	234.3 / G.26	Disagreement on existence of landslides.
	234.4 / G.45	Scale of Figure 57.
	234.5 / G.76, G.123	Discussion of fault line on PRA (1985) Figure 2.
	234.6 / G.79, G.122	Investigation for fault identified by Terratech.
	234.7 / G.83, G.107	Feasibility of secondary emergency access.
	234.8 / G.81, G.122	Other fault zone avoidance recommendations.
	234.9 / G.55	Potential for "very violent" groundshaking onsite.
	234.10 / G.28, G.34, G.55	Susceptibility of crib walls to "very violent" groundshaking.
	234.11 / G.19, G.28, G.103	Stability of cut and fill slopes.
	234.12 / G.19, G.28, G.32	Slope stability inadequately addressed.
	234.13 / J.18	Fire Chief-recommended mitigation.

<u>No./Name/Agency/Date</u>	<u>Comment Code/ Response Code</u>	<u>Environmental Point</u>
235. Ken Pimentel, Sheffield Village Homeowners Association, 3-4-91	235.1 / D.33	Accuracy of gross density calculations.
	235.2 / D.24	Position of Dunsmuir House and Garden towards the project.
	235.3 / P.3	No project alternative and Measure K.
	235.4 / D.37	Representation of density in Figure 23.
	235.5 / D.33	Compliance with City density requirements.
	235.6 / D.38	Descriptive figure.
	235.7 / E.61, J.39, J.47	Water for crib wall landscaping.
	235.8 / F.26	Proposed mitigation for MacArthur Boulevard/Foothill Boulevard/Superior Avenue intersection.
	235.9 / F.64	Effectiveness/feasibility of proposed mitigation for MacArthur Boulevard/ Estudillo Avenue intersection.
	235.10 / G.74	Accuracy of location of Chabot fault on Figure 51.
	235.11 / G.21	Inaccurate illustration of unstable zones on Figure 55.
	235.12 / G.22	Believability of Figure 56.
	235.13 / G.40	Inaccurate description of regional groundshaking potentials.
	235.14 / G.72	Onsite active faults.

<u>No./Name/Agency/Date</u>	<u>Comment Code/ Response Code</u>	<u>Environmental Point</u>
	235.15 / G.31	Origin of landslides.
	235.16 / G.40	Impacts of acceleration.
	235.17 / G.71, G.72	Activity status of Chabot fault.
	235.18 / G.131	Cluff report adequacy.
	235.19 / G.12	Figure 59 rationale.
	235.20 / G.39, G.51	Maximum horizontal offset.
	235.21 / G.70, G.71, G.83, G.115	Chabot fault relationship to secondary access.
	235.22 / G.88	Analysis of Peralta Oaks extension.
	235.23 / G.84	Emergency access over Chabot fault.
	235.24 / G.97, G.116	Adequacy of existing and future geotechnical analysis.
	235.25 / G.60, H.13	Adequacy of existing and future drainage related analysis.
	235.26 / I.12	Honesty of noise Figure 65.
	235.27 / G.12	Alternatives to Figure 59.
236. Michael F. Pickering, City Traffic Engineer	236.1 / C.30	Slope ratio of roads.
	236.2 / F.71	Explanation of Table 4.
	236.3 / F.72	Reference to Figure 49.
	236.4 / F.73	Diversion of traffic away from MacArthur Boulevard/Estudillo Avenue intersection.

<u>No./Name/Agency/Date</u>	<u>Comment Code/ Response Code</u>	<u>Environmental Point</u>
	236.5 / F.74	Project sponsored shuttle to transit.
	236.6 / F.26, F.75	MacArthur/Foothill/Superior Boulevard intersection.
250. Steven Kirzanis	250.1 / I.11	Noise impacts of the Peralta Oaks extension.
	250.2 / J.105	Cost of the Peralta Oaks extension.
	250.3 / D.25	Impact on EBRPD headquarters.
256. Leslie and Helen Nichols	256.1 / E.21	Overstatement of impacts to views from Lake Chabot.
269. unsigned, Fairmont/Lake Chabot Ridgeland Committee	269.1 / K.57	Rare species found on Fairmont Ridge
	269.2 / K.57	Harvestman--rare species.
	269.3 / K.57	Serpentine soils--rare species.
	269.4 / K.57	Fairmont Ridge species, serpentine soils.
	269.5 / K.57	Fairmont Ridge species.
	269.6 / K.57	Peregrine Falcons.
270. Roger C. Martin, Project Manager, Environmental Review Project, California Division of Mines and Geology, 3-5-91	270.1 / G.128	Additional geologic analysis unlikely to be definitive.
	270.2 / G.43, G.119, G.123	Not all findings regarding fault activity presented.

<u>No./Name/Agency/Date</u>	<u>Comment Code/ Response Code</u>	<u>Environmental Point</u>
	270.3 / G.95	City geotechnical representative at site when grading is performed.
271. Dennis J. O'Bryant, Environmental Program Coordinator, California Division of Mines and Geology, 3-4-91	271.1 / G.32, G.43	Quantitative analysis of seismic ground motion parameters needed. Detailed analysis of known and potential landslide reports needed.
	271.2 / G.43	EIR mitigation measures are very basic, may be inadequate; ground motion parameters needed.
	271.3 / G.43	Peak ground acceleration may require special building criteria.
	271.4 / G.32	No evaluation of slope stability conditions for landslides. Better understanding should be obtained and reported in DEIR.
	271.5 / G.122	Disagreement among geotechnical firms not mentioned.
	271.6 / G.108	Alternative access route recommended.
	271.7 / G.97	Extent and degree of seismic and geologic hazards should be completely understood as well as possible during planning stages of project.
272. Scott Sommerfeld, 3-15-89, resubmitted.	272.1 / D.34, D.42	Project compliance with City P.U.D. criteria (9407, especially paragraph F).
	272.2 / D.34, D.42	Project inconsistencies with 9407.F.
	272.3 / D.34, D.39, D.40, D.42	Project not well-integrated into site/ requires excessive grading.

<u>No./Name/Agency/Date</u>	<u>Comment Code/ Response Code</u>	<u>Environmental Point</u>
	272.4 / D.34, D.42	Access road construction.
	272.5 / D.34, D.42	Project will be visually obtrusive.
	272.6 / D.34, D.42	Project will not provide sufficient buffering.
	272.7 / D.34, D.42	Tree removal impacts.
	272.8 / D.34, D.42	Magnification of project visual and noise impacts--inadequate separation from Sheffield Village.
	272.9 / D.34, D.42, E.36	Landscaping mitigation limitations.
	272.10 / D.34, D.42, E.36	Landscaping--time to reach maturity.
	272.11 / D.34, D.42	Summary--project doesn't comply with P.U.D. ordinance.
273. Ed Carlsen, 3-16-89, resubmitted.	273.1 / G.32, G.57, G.97, G.117	Further exploration and impact detail needed in DEIR regarding geotechnical impacts of project access road (slope stability, fill stability, fill materials suitability, underground hydrology), including test borings, cross sections, engineering specifications for drainage, slopes, and fills, inspection and testing procedures, etc.
	273.2 / G.11, G.19, G.28, G.55	Sheffield Village life and property consequences due to failure of access roadway due to heavy rainfall, earth movement, etc.
	273.3 / G.34	Responsibility for damage to Sheffield Village.

<u>No./Name/Agency/Date</u>	<u>Comment Code/ Response Code</u>	<u>Environmental Point</u>
	273.4 / G.103	Are assurances of Sheffield Village safety economically feasible?
	273.5 / G.24, G.32, G.57, G.97, G.117	History of Bay Area slides (Pacifica, etc.); comprehensive soils engineering and geological analysis needed in EIR, including complete design report on access road.
275. Dean Nelson, 4-9-89, resubmitted.	275.1 / G.133	USGS regional slope stability map.
	275.2 / G.21	DEIR map (Figure 34) misleading.
	275.3 / G.23	USGS landslide map.
	275.4 / G.24	Landslide information.
	275.5 / G.32, G.57, G.97, G.117	Future studies--complete before EIR.
	275.6 / G.134	Mitigation monitoring.
	275.7 / G.135	Additional landslides on site.
	275.8 / G.136	Site slopes.
	275.9 / G.137	Cost to existing Oakland residents.
276. Arleen Carlson; 4-9-89, resubmitted	276.1 / G.15	Serpentine soil hazards.
	276.2 / G.15	Location of serpentine soils.
	276.3 / G.15	Serpentine soil amount.
	276.4 / G.15	Asbestos content of serpentine soils.
	276.5 / G.15	Serpentine soil fill locations.

<u>No./Name/Agency/Date</u>	<u>Comment Code/ Response Code</u>	<u>Environmental Point</u>
	276.6 / G.15	Serpentine dust.
	276.7 / G.15	Serpentine soil impact risks.
	276.8 / G.15	Santa Clara Transit serpentine soil study for Communications Hill.
	276.9 / K.36	Plant growth on serpentinic soils.
277. Kenneth D. Pimentel, Sheffield Village Homeowners Association; 2-25-91	277.0 / See Final EIR Section VI	Resubmittal of SVHOA comments on 1988-1989 Draft EIR.
278. Paul Merrick, Dunsmuir Ridge Alliance; 3-4-91	278.0 / T.19	Inclusion of comments in FEIR.
279. Elizabeth Hanzel	279.1 / T.18	Impacts on San Leandro.

B. PUBLIC HEARING TESTIMONY (FEBRUARY 14, 1991 PLANNING COMMISSION MEETING)

<u>No./Name/Agency/Date</u>	<u>Comment Code/ Response Code</u>	<u>Environmental Point</u>
300. Fredric C. Herzer, landscape contractor	300.1 / E.41	Need for landscape plan.
	300.2 / L.8	Air quality impacts of tree removal.
301. Paul Stephens	301.1 / J.58	Grass Valley School figures inaccurate.
302. Susan Goodman, President, Broadmoor Neighborhood Association	302.1 / J.52	School impacts.
	302.2 / J.53	Schools overcrowded; mitigations insufficient.
	302.3 / J.53	No specific school mitigation plan.
303. Paul Merrick, President, Sheffield Village Homeowners Association	303.1 / G.70, G.78, G.121, J.53, T.7	Refers to written comments submitted.
	303.2 / G.4, G.119, G.122	Terratech report not referenced; RDEIR inconsistent with Terratech and PRA fault findings.
	303.3 / G.76, G.79, G.119	Terratech 1974 inconsistent with RDEIR regarding eastern faults.
	303.4 / G.119	Terratech 1987 not totally corroborated with PRA.
	303.5 / G.82, G.123	Carpenter fault findings not addressed.

<u>No./Name/Agency/Date</u>	<u>Comment Code/ Response Code</u>	<u>Environmental Point</u>
	303.6 / G.119, G.122, G.123	Disagreement among experts not revealed.
	303.7 / G.139	Independent geotechnical review recommended.
304. Jerry Belden, President, Chabot Park Highlands Association	304.1 / C.7, E.10	Townhouses four to seven stories.
	304.2 / E.10	Chabot Park Highlands visual impacts.
	304.3 / E.10	Opposes shifting units to Subarea D.
	304.4 / G.9	Site denuded for six years.
	304.5 / F.28, J.33	Connection to Turner proposed.
	304.6 / E.10	Minimize vertical buildings in north area.
305. Paula Belden	305.1 / J.8, J.108	Fire mitigations and costs insufficient.
307. Donna Freeman	307.1 / C.31	All approvals in Table 4 needed.
308. Vern Hesseltine	308.1 / T.1	Insufficient mitigations.
	308.2 / D.32, D.39	Project inconsistent with <u>OCP</u> policies.
310. Michael Gordon	310.1 / T.6	Support for certification.
311. Christine Scobee	311.1 / K.17	Whipsnake trapping adequacy.
314. Sheila O'Connell	314.1 / J.53	School overcrowding impacts.
	314.2 / J.62	Portable classrooms; yards too small.

<u>No./Name/Agency/Date</u>	<u>Comment Code/ Response Code</u>	<u>Environmental Point</u>
	314.3 / J.53	Attendance boundary change too political.
	314.4 / J.32	Reduction in unit total needed.
315. Martin Vitz, City Planner, City of San Leandro	315.1 / Please see comment response codes for letters 54.A and 54.B.	Reference to previous letters 54.A and 54.B.
	315.2 / T.5	RDEIR mitigations urged.
316. T. H. Lindenmeyer, Environmental Coordinator, EBRPD	316.1 / E.66	City implementation of RDEIR mitigations for Lake Chabot views urged.
	316.2 / F.76	Peralta Oaks extension--EBRPD headquarters impacts.
317. Jack Gifford	317.1 / H.17	New Cranford Way drainage data adequate.
	317.2 / H.13	Emergency drainage provisions needed.
	317.3 / O.38	Emergency access connection to Cranford Way unsuitable.
	317.4 / F.25, F.83	Emergency gate control concerns.
318. Ken Gould	318.1 / G.107	No earthquake emergency access.
319. Virginia Murphey	319.1 / F.25, F.83	Emergency gate control concerns.
320. Maxine Hanan	320.1 / D.8	Error regarding Chabot Park Highlands lot sizes.
	320.2 / E.34, E.36	Landscape screening ineffective.
	320.3 / E.10	Northwest side landscaping needed.

<u>No./Name/Agency/Date</u>	<u>Comment Code/ Response Code</u>	<u>Environmental Point</u>
321. Patrick Hanan	321.1 / O.39	Pedestrian/bicycle access through golf course; incorporate with road.
	321.2 / O.40	Pedestrian/bicycle access through golf course; other uses.
	321.3 / F.29	Pedestrian/bicycle access through golf course/control of flow.
322. Eric Woychik	322.1 / F.84	Mitigation of increased traffic inadequately explained.
	322.2 / F.85	Mitigation for just one access point inadequate.
	322.3 / F.18	Golf Links Road connection impacts.
	322.4 / J.107	Trash dumping on Golf Links Road.
	322.5 / J.108	Fire, police, and safety service impacts questioned.
	322.6 / P.13	Environmental ranking of alternatives too short.
	322.7 / E.63	Neither CEQA nor City requires landscaping.
324. Robert Blackburn	324.1 / J.52, J.117	School impacts analysis unsatisfactory.
	324.2 / P.16	Alternative: purchase/rehabilitate 507 vacant units in Oakland.
325. Toni Reynolds	325.1 / F.86	Estudillo/MacArthur intersection widening questioned.
	325.2 / F.60	Bancroft/Estudillo intersection LOS rating questioned.

<u>No./Name/Agency/Date</u>	<u>Comment Code/ Response Code</u>	<u>Environmental Point</u>
	325.3 / F.61	Davis/E. 14th Street and Bancroft/ Callan intersection not discussed.
	325.4 / F.87	Downtown San Leandro already congested.
	325.5 / F.88	Foothill Way too narrow.
	325.6 / F.89	Marlow/Foothill intersection dangerous at dusk.
326. Nancy Van Huffel, Vice President, Chabot Park Highlands Association	326.1 / F.68	Crossing guard costs.
	326.2 / J.8	Fire fighting needs and costs understated.
	326.3 / J.108	Police service mitigations may not happen.
327. Fran David	327.1 / D.49	"Trickle down" theory discredited.
	327.2 / D.52	Housing analysis relies on 5-year old land inventory.
	327.3 / D.30	City Housing Element inadequate.
	327.4 / D.47, D.48, D.55	More definitive homes sales price estimates needed.
329. Robert Sereda	329.1 / G.55, G.57	Access road fault impacts.
	329.2 / G.88	Foothill extension impacts on Dunsmuir Reservoir.
330. John Glaub	330.1 / See index of comments and responses for letter 198.	Several unavoidable impacts not covered; will describe in letter (#198).

<u>No./Name/Agency/Date</u>	<u>Comment Code/ Response Code</u>	<u>Environmental Point</u>
	330.2 / F.59	1988 traffic data used; changes have occurred.
	330.3 / F.60	Estudillo/Bancroft intersection LOS findings flawed.
	330.4 / F.61	Major intersections omitted.
	330.5 / F.62	Weekend peak traffic excluded.
	330.6 / F.63	Traffic mitigations difficult or impossible.
	330.7 / T.12	RDEIR lacks credibility.
331. Kathleen Glaub	331.1 / T.10	RDEIR deficient regarding traffic, schools, and other facilities.
	331.2 / T.8	Decision on RDEIR is opportunity to vote against project.
332. John Bailey	332.1 / G.66	Loma Prieta reference should be deleted.
	332.2 / G.127	RDEIR disregards risk of Hayward fault.
	332.3 / G.102	Creep susceptibility and earthquake risk.
	332.4 / G.69	Cluff findings unsubstantiated.
	332.5 / G.105	Proposed mitigations not above UBC standards as suggested.
333. Jan Zimmerman	333.1 / C.17, F.30	Public purpose of eminent domain questioned.
335. Kay Bender, President, Creekside Neighborhood Association	335.1 / F.90	Quarry project traffic insufficiently addressed.

<u>No./Name/Agency/Date</u>	<u>Comment Code/ Response Code</u>	<u>Environmental Point</u>
336. Craig Everhart	336.1 / F.19	Transit rerouting will increase traffic.
	336.2 / F.19	Ride-sharing and park-and-ride don't work.
	336.3 / F.20	Peralta Oaks/106th mitigation problems.
	336.4 / F.22	Traffic mitigation cost responsibility.
337. Felix Guillory, Chairman, Grass Valley Homes Association	337.1 / F.27	Golf Links Road traffic neighborhood impact concerns.
338. Geno Yun	338.1 / G.112	Hayward fault impacts unmitigable, especially with multi-story buildings.
	338.2 / G.6, O.41	Emergency access analysis insufficient.
	338.3 / E.10	Visual impacts of multi-unit buildings in western half of ridge.
339. Ken Pimentel	339.1 / G.46	No map showing fault relationship to houses and road. Fault rupture risks inadequately addressed.
	339.2 / G.110	Utility mitigations for faults unproven.
	339.3 / G.52	Vertical fault movement denied.
	339.4 / G.64, G.84	Landslides will occur.
	339.5 / G.39	Earthquake analysis based on inappropriate data; not site-specific.
	339.6 / G.44	Previous Hayward fault earthquake not categorized as to size.

<u>No./Name/Agency/Date</u>	<u>Comment Code/ Response Code</u>	<u>Environmental Point</u>
	339.7 / G.84	Historic fault movement; impassable for fire truck.
	339.8 / G.51, G.52	Horizontal and vertical movement on Hayward fault.
	339.9 / G.51	RDEIR error regarding maximum horizontal displacement.
	339.10 / G.51, G.52	Credible fault movement data; none cited by developer.
	339.11 / G.47	Cluff calls for fault study.
	339.12 / G.124	Efforts to erase faults to build houses.
	339.13 / G.54	No site-specific study of Hayward fault.
340. Doug Talmage	340.1 / E.13	Visual simulation cluttered; better views available.
	340.2 / G.55, G.57	Hillside access problems unmitigable.
	340.3 / E.43	50-year-old slope cut in Sheffield Village still shows.
	340.4 / E.57	Measure K provides means for site purchase.
	340.5 / O.18	Alternatives F & G with golf course may mitigate impacts.
	340.6 / O.18	Golf course access unfairly assessed.
341. Benton Russell	341.1 / G.88	State Division of Safety of Dams response needed for Dunsmuir Reservoir.

<u>No./Name/Agency/Date</u>	<u>Comment Code/ Response Code</u>	<u>Environmental Point</u>
	341.2 / G.88	Water line replacement cost responsibility.
	341.3 / P.15	Need plan to avoid trees.
	341.4 / L.3	Air quality effects of steep road.
342. Beverly Merrick	342.1 / D.34	PUD criteria not met.
	342.2 / D.42	PUD criteria cannot be met.
	342.3 / O.19, O.42	Horseshoe roadway impacts on golf course.
343. Diane Russell	343.1 / P.3	No project alternative with Measure K.
344. John Goodman	344.1 / G.15	Air quality impacts from serpentine soil disturbance.
345. George Piperis	345.1 / H.7	Storm drain construction impacts on restaurant.
346. Gary Zimmerman	346.1 / D.41	Project not infill.
	346.2 / D.1	Dunsmuir Ridge part of Bay Area Greenbelt.
	346.3 / P.3	Fiscal analysis plays down Measure K.
	346.4 / P.3	Measure K funds for site purchase.
	346.5 / J.116	Fiscal analysis documents not available.
347. Bob Eagle	347.1 / E.57	Measure K should be discussed more.
	347.2 / E.57	Visual impacts unmitigable; purchase with Measure K.

<u>No./Name/Agency/Date</u>	<u>Comment Code/ Response Code</u>	<u>Environmental Point</u>
	347.3 / E.10	Subarea D visual impacts.
349. Joyce Herzer	349.1 / O.43	Project access road; number of lanes.
	349.2 / E.61	Crib wall vegetation.
	349.3 / I.10	Sound wall (visual).
	349.4 / I.13	Sound wall (effectiveness).
350. Ray Cronin	350.1 / T.9	Superficial RDEIR.
351. Kent Wolcott	351.1 / E.67	Unmitigated visual impacts.
352. Rebecca Hicklin	352.1 / G.138	Local litigation for hillside problems.
353. Martin Brooks	353.1 / T.9	Superficial RDEIR.
	353.2 / F.86	Estudillo widening impacts on shopping center.
354. Dave Applee	354.1 / O.44	Revere is an inadequate emergency route.
355. Scott Sommerfeld	355.1 / Please refer to comments and responses listed in this index for letter 189.	General exceptions to RDEIR conclusions, refers to related written comments (letter 189).
	355.2 / T.10	Contradictions in document still exist.
	355.3 / C.18	Impacts on five properties along extension.
356. Ken Pimentel	356.1 / J.39	Drought considerations.

V. RESPONSES TO COMMENTS ON THE REVISED DRAFT EIR

V. RESPONSES TO COMMENTS ON THE REVISED DRAFT EIR

The responses of the City (the Lead Agency) to significant environmental points raised during the Revised Draft EIR public review period are documented in this Final EIR chapter to meet the requirements of CEQA Guidelines Section 15132(d). Each significant environmental point is summarized, followed by the response to that point. In the interest of brevity, verbatim comments received from the public have been paraphrased in this section to convey the principal environmental points raised. The original, verbatim version of each comment is included in Appendix A to this Final EIR under corresponding reference codes.

The comments and responses which follow are organized in subsections which correspond to each of the various chapters of the Revised Draft EIR. The response/comment subsections for each RDEIR section are listed below:

- A. Comments on RDEIR Section I: Introduction
- B. Comments on RDEIR Section II: Summary
- C. Comments on RDEIR Section III: Project Description
- D. Comments on RDEIR Section IV.A: Land Use, Population, and Housing
- E. Comments on RDEIR Section IV.B: Visual Factors
- F. Comments on RDEIR Section IV.C: Transportation
- G. Comments on RDEIR Section IV.D: Geotechnical and Grading Factors
- H. Comments on RDEIR Section IV.E: Drainage and Water Quality
- I. Comments on RDEIR Section IV.F: Noise
- J. Comments on RDEIR Section IV.G: Municipal Services and Fiscal Factors
- K. Comments on RDEIR Section IV.H: Vegetation and Wildlife
- L. Comments on RDEIR Section IV.I: Air Quality
- M. Comments on RDEIR Section IV.J: Archaeology
- N. Comments on RDEIR Section IV.K: Energy
- O. Comments on RDEIR Section V: Project Access

- P. Comments on RDEIR Section VI: Alternatives to the
Proposed Project
- Q. Comments on RDEIR Section VII: CEQA-Required Assessment
Considerations
- R. Comments on RDEIR Section VIII: Mitigation Monitoring
- S. Comments on RDEIR Section IX: Organizations and Persons
Contacted
- T. Miscellaneous Comments on the RDEIR

A. COMMENTS ON RDEIR SECTION I: INTRODUCTION

Environmental Point A.1. (Responsible and Trustee Agencies.) The East Bay Municipal Utility District (EBMUD) and City of San Leandro should be added to the list on RDEIR page 2 of Responsible Agencies and Trustee Agencies. (167.3)

Response. Comment accepted. RDEIR page 2 has been revised accordingly.

Environmental Point A.2. (Ramp Modification phasing.) RDEIR page 2 should be revised to indicate that the I-580 northbound ramp modification would occur concurrently with construction of "the extension of Foothill Way" rather than "the project entry drive." (167.4)

Response. Comment accepted. RDEIR page 2 has been revised accordingly.

B. COMMENTS ON RDEIR SECTION II: SUMMARY

Environmental Point B.1. (Areas of concern.) The summary should more clearly call out the areas of concern and issues to be resolved [CEQA Section 15123(b)]. (167.2)

Response. CEQA Section 15123(b) emphasizes that the summary should be "brief." CEQA Section 15123(c) suggests that "the summary should normally not exceed 15 pages." Because of the complex and controversial nature of this project, the Summary section of the RDEIR is already 74 pages. Given these considerations, the summary description of "Significant Issues, Concerns, and Areas of Controversy" on RDEIR pages 11 through 12 represents an adequate, clear, and concise overview of the issues to be addressed. This overview, in combination with the summary table of impacts and mitigations on RDEIR pages 14 through 65, provides a comprehensive and adequate description of issues to be resolved.

Environmental Point B.2. (Matrix of concerns and responses needed.) The summary should include a matrix indicating RDEIR sections which respond to earlier public comments and concerns, and to demonstrate both responsiveness to public input and the thoroughness of the environmental documents. (167.2)

Response. Although preparation of the suggested matrix keying the various sections of the RDEIR to these earlier public comments may help to further demonstrate RDEIR responsiveness to past public input, such an undertaking (preparation of a summary matrix) would be very time consuming, would be beyond reasonable bounds for an adequate EIR, and is not required under CEQA. Approximately 566 people commented during the Draft EIR public review period. Approximately 750 written responses, and 55 individual public testimonies were received. These 805 separate written and oral testimonies included approximately 3,000 separate comments addressing approximately 1,050 environmental points. The scope and content of the RDEIR have been determined largely in response to this public input and are believed by the authors to be highly responsive to the extensive comments received during the review period on the Draft EIR. The various concerns and issues identified through this process are reflected in the RDEIR Table of Contents and in the various subject headings under each impact category and chapter.

Environmental Point B.3. (Conflicts between summary and text.) Sections of the summary are in conflict with the detailed discussion in the main text of the RDEIR with respect to the following:

Page 169-170: "...representing approximately 5.7 percent of..."; page summary says 12 percent (167.6).

Response. The RDEIR wording in the two sections is correct and consistent; the comment is inaccurate. Pages 169-170 refer to the 1988-1995 housing need; page 16 of the summary refers to the 1990-1995 housing need.

Page 21, paragraph beginning with "*Grading Modifications...*" is an inaccurate summary of page 311. Page 205: Paragraph 5 ("To substantially...") is also an inaccurate summarization of the discussion on page 311). (167.7)

Response. Paragraph 5 on page 205, and the summary paragraphs on page 21 are not intended as a summary of page 311. Page 205 pertains to measures warranted to mitigate the visual impacts of the project access road. Page 311 pertains to measures warranted to mitigate slope stability impacts of the project. If limiting the maximum cut-slope and fill slope gradient of the proposed dual hillside access road as suggested on page 205 is not feasible along certain substantial, visible segments of the route, then other mitigation "choices" described on pages 205 through 207 would be warranted.

Page 33, paragraph beginning with "Cut slopes to a minimum of 2:1 except...," represents an inaccurate summarization of the discussion on page 311. (167.7)

Response. The subject paragraph on page 33 represents a reasonable and accurate summary of the more detailed mitigation description on page 311. In any event, the more detailed text in the body of the EIR should always govern wherever there is a perceived inconsistency between summary and main text.

The verbal description of the project impacts on Bancroft/Dutton views on RDEIR page 193 correctly says "significant adverse environmental impact"; the summary on RDEIR page 17 says only "S = Significant." (170.2)

Response. The term "significant adverse environmental impact" and "significant impact" as used in the main text of this RDEIR, and the symbol "S = Significant" as used in the summary, are intended to be synonymous. Section 21068 of the CEQA Statutes states that the "significant effect on the environmental" means "substantial, or potentially substantial, adverse change in the environment."

Environmental Point B.4. (Summary of OCP relationships confusing and unnecessary.) Summary section II.D pertaining to project consistency with the Oakland Comprehensive Plan (OCP) is confusing in its relationship to the more detailed discussion in RDEIR page 151 (section IV.A). Also, it may be unnecessary to include this six-page discussion in the Summary section, since the subject is discussed extensively in the body of the RDEIR. Moreover, the summary emphasizes possible project inconsistencies with the OCP without discussion or explanation of potential mitigation measures in the RDEIR. Without this explanatory material, the summary discussion may give the impression that the project violates local planning constraints. (167.15.)

Response. CEQA section 15125 states that "the EIR shall discuss any inconsistencies between the proposed project and applicable general plans and regional plans." CEQA section 15123 states that the EIR shall identify "areas of controversy" and "issues to be resolved." Project consistency with OCP policies has been one of the principal subjects of public comment. Given these considerations, the subject of OCP consistency should be included in the summary, with emphasis on possible project inconsistencies with plan policies. Contrary to what the comment suggests, this section of the summary (II.D) does include a clear introductory explanation on RDEIR page 66, first paragraph, that the summary discussion of plan policy relationships which follows "is based on an unmitigated project" and goes on to state that "the full text of the EIR explains, under each of the subject headings (e.g., Land Use, Population and Housing, Visual Factors, Transportation, etc.), how the project could be made consistent with most of these policies through implementation of the mitigation measures identified in this EIR."

Environmental Point B.5. (Fence instead of wall.) RDEIR page 15 recommends a "solid masonry wall" along boundary between golf course and project. This should be changed to a "fence." (167.5)

Response. The Oakland Office of Parks and Recreation has requested that a solid masonry wall be constructed along this edge in order to provide the desired long-term assurance of access control, security, and visual buffering along this edge. In response to this comment, the RDEIR "solid masonry wall" recommendation has been changed to read a "solid masonry wall" or barrier design of comparable performance characteristics."

C. COMMENTS TO DEIR SECTION III: PROJECT DESCRIPTION

Environmental Point C.1. (Figure 1 implications.) Figure 1 highlighting is inconsistent. Knowland Park, Chabot Park, and the project site are highlighted while Anthony Chabot Regional Park is not. (167.17)

Response. The comment does not warrant a change in Figure 1. Figure 1 is entitled "Regional and Local Setting." The two community parks are highlighted simply to graphically identify them as well-known local landmarks for geographic orientation purposes. The texture used for these two community parks (diagonal cross-hatching) is different than the texture used to indicate the project site (dot screen). The figure is not intended to confuse the project site with the park site, or to suggest that the project site is a park site.

Environmental Point C.2. (Change to Figure 5.) The legend on Figure 5 should include an identification for intermittent stream. (167.17)

Response. Comment acknowledged. Figure 5 on RDEIR page 82 has been revised to add the missing symbol for intermittent stream in the legend.

Environmental Point C.3. (Project Objectives.) Commenter takes exception to statements of basic project objectives. Developer should be specific about housing prices to help determine if a variety of housing prices is being provided. "Close" to transportation is misuse of word. (98.26)

Response. CEQA section 15124(b) mandates that the description of the project shall contain "a statement of the objectives sought by the proposed project." The intent here is to provide a concise, objective, and unembellished description of the apparent objectives of the project to the extent necessary for evaluation and review of environmental impacts. In addition, CEQA section 15126(d) requires that the EIR "describe a range of reasonable alternatives to the project, or the location of the project, which could feasibly attain the basic objectives of the project..." In this light, the description of the basic project objectives is also considered in the Alternatives

section of the RDEIR as one of many factors in comparing the advantages and disadvantages of the various identified alternatives.

Environmental Point C.4. (Open space.) To say that half of the site will remain as open space is somewhat misleading, since part of that half will be graded and some will be made into roadway, drainway, or debris/retention basins. That 47 acres will not be graded and will retain a natural appearance should receive comparable emphasis. (199.5)

Response. The detailed description of project open space provisions on RDEIR page 16 clearly indicates that of the approximately 66 acres to be retained as privately owned permanent open space, approximately 19 acres (15 percent) would be modified by proposed cut-and-fill operations, and that these cut-and-fill areas would be revegetated. The section goes on to state that "Except for peripheral open space areas adjacent to project residences and streets, the project plan calls for retention of the existing natural vegetation on the remaining 47 acres (35 percent) of this open space acreage."

Nevertheless, in response to this comment, the RDEIR summary language on page 9 has been revised to reiterate that, "of the approximately 66 acres to be reserved as open space, approximately 19 acres would be subject to grading modifications and the existing natural vegetation would be retained on the remaining 47 acres."

Environmental Point C.5. (Townhouse numbers and prices.) The RDEIR is unclear on how many small, inexpensive townhouse units will be built. The RDEIR should substantiate any expected cost estimate with a review of comparable projects in the Oakland and Berkeley Hills. (78.1)

Response. The RDEIR describes the project characteristics, including the proposed number of townhouse units and the anticipated price range to the full extent that available data from the project PUD permit application package (preliminary development plan and associated materials) allows. These preliminary application materials included no housing price information. In order to evaluate project housing impacts, selling price estimates have been developed by the EIR economist, Angus McDonald and Associates, based on contacts with local realtors and comparison with

comparable home sales in the region. The RDEIR on page 145 states that "the selling price of the project homes would range from approximately \$180,000 (for the smallest eight-plex townhouse unit) to approximately \$400,000 (for the larger custom houses) in 1990 dollars." As explained in the RDEIR, these cost estimates are conservatively low to provide conservative fiscal analysis results.

Table 7 on RDEIR page 168 provides a clear breakdown of housing types by number. The table clearly indicates that 250 townhouses are proposed, including 186 in 31 six-unit townhouse structures and 64 in eight eight-unit townhouse structures. The characteristics (size, style, design, number of rooms, parking, etc.) of these townhouse units are described on RDEIR page 91.

This information on project townhouse characteristics is adequate for impact assessment purposes and is consistent with CEQA section 15124 on Project Description which states "the description of the project...should not supply extensive detail beyond that needed for evaluation and review of the environmental impact."

Environmental Point C.6. (Production homes.) Does the term "production homes" mean factory built. (98.27)

Response. The term "production homes" is a common term used in the project description and in other EIR sections to describe homes which would be constructed onsite by a builder or builders for speculation purposes; i.e., for marketing and sale to any future buyer in a particular market sector, as opposed to individual "custom" homes designed and constructed to the specifications stipulated by a specific individual lot owner or home buyer. The term "production homes" is not intended to mean factory-built homes or homes constructed offsite.

Environmental Point C.7. (Height of townhouse rear elevations.) The rear elevation of the six-unit townhouses is shown as four stories pictured on a stepped lot (RDEIR page 90). These units, when perched on a ridge or hillside, will present a rear elevation wall in excess of four stories; this will appear massive in appearance, height, and width, and therefore, as presented, is totally unacceptable. (98.28, 304.1)

Response. As shown on page 90, the rear elevations of the six- and eight-unit townhouse structures will include the full stories, plus a recessed, third "half-story." The commenter's point is that each of these structures will also have an additional foundation "underpinning" on the downhill side which will vary with slope steepness and will add to the perceived height of the units. The project architect states that these "underpinnings" would vary in height from zero to approximately eight feet in the West and Central subareas (see RDEIR page 92), with one exception; one of the six-unit townhouse structures in the Central subarea would have an "underpinning" which could vary in height from approximately seven to 17 feet. The photomontage visual simulations and associated mitigation measures in the Visual Factors section of the RDEIR adequately addresses the visual impacts of the scale, height, and perceived mass of the townhouse structures.

Environmental Point C.8. (Introduced tree species.) The applicant requests that the description of introduced peripheral tree species on RDEIR page 112 be revised to add European Hackberry, as well as White Alder. (167.20)

Response. RDEIR page 112 has been revised accordingly.

Environmental Point C.9. (Offsite actions.) The applicant requests that the description on RDEIR page 117 of offsite actions regarding implementation of the proposed Peralta Oaks Drive-Foothill Way extension be revised to include the following sentence: "City acquisition by condemnation may be required for ROW and easements for the Peralta Oaks Drive-Foothill Way proposed extension." (167.21)

Response. RDEIR page 117 has been revised accordingly. This condemnation possibility has already been described in other sections of the RDEIR (see pages 139 and 140).

Environmental Point C.10. (Water lines.) The East Bay Municipal Utility District states that the first sentence under item 4 on RDEIR page 118 is incorrect. The EBMUD would design all water pipelines on and off the project site associated with this project. (157.6)

Response. Comment acknowledged. RDEIR page 118 has been revised accordingly.

Environmental Point C.11. (Anthony Reservoir Acquisition.) RDEIR page 122, item 13, should be revised to indicate that approval by the California Division of Dam Safety would not be required for acquisition of the Anthony Reservoir site. (157.7)

Response. Comment acknowledged. RDEIR page 122 has been revised to correct this error.

Environmental Point C.12. (Anthony Reservoir sale.) Regarding RDEIR page 118, the sale of the Anthony Reservoir was illegally and improperly made by EBMUD Board members leaving the Board. The sale is being investigated by the Alameda County Grand Jury. (98.36)

Response. The sale was officially complete as of the RDEIR writing. Any future change in the status of that transaction would be responded to accordingly by the project sponsor and the City. The reservoir property (1.18 acres) is relatively small in relation to the 132-acre project site and is not essential to completion of the project. Ten of the 507 proposed units are located on the reservoir site.

Environmental Point C.13. (Dunsmuir Reservoir property ROW sale/acquisition.) On RDEIR page 102, the EBMUD requests that the statement "EBMUD proposes to sell the necessary rights through Dunsmuir Reservoir property to the project sponsor" be changed to say instead that the project sponsor would have to acquire these rights. Any reference in the RDEIR that the EBMUD has proposed to sell the necessary rights through the Dunsmuir Reservoir property should be similarly corrected. (157.5)

Response. The referenced RDEIR wording, "EBMUD proposed to sell..." was excerpted verbatim from a 1989 EBMUD letter to the applicant.¹ Nevertheless, in response to this latest EBMUD comment, pages 102 and 140 have been revised to incorporate this EBMUD-requested change.

¹August 22, 1989 letter from Janet L. Lang, Real Estate Representative, East Bay Municipal Utility District, to Robert Miller, Hayward Exchange, Inc.

Environmental Point C.14. (Dunsmuir Reservoir property ROW sale/acquisition.) The reference on RDEIR page 102, paragraph one, to a suggested right-of-way sale condition regarding a specific maintenance roadway easement alignment should be deleted, since questions have been raised by the EBMUD regarding its desirability. (167.18)

Response. Comment accepted. RDEIR page 102, first paragraph, last sentence, has been revised to eliminate this condition reference.

Environmental Point C.15. (Dunsmuir Reservoir property ROW sale/acquisition.) If the EBMUD refuses to sell the necessary ROW and easements for the Peralta Oaks-Foothill Way extension, the City would have to acquire them pursuant to California Eminent Domain Law. RDEIR page 118, third paragraph and Table 4, item (10), should be revised to reflect this. (167.22)

Response. Comment noted. RDEIR pages 118 third paragraph and Table 4, item (10), have been revised to reflect a similar point.

Environmental Point C.16. (Dunsmuir Reservoir property ROW sale/acquisition.) Regarding RDEIR page 102, has the applicant entered into an official, written agreement with the EBMUD? Has the EBMUD Board of Directors voted on this matter? If the ROW is not provided, what other main access road possibilities would be considered? (165.3)

Response. As of this writing no final agreement had been entered into and no Board vote had been taken. See response to Environmental Point C.14 above regarding measures the City could choose to take if necessary to acquire the ROW.

Environmental Point C.17. (Peralta Oaks Drive-Foothill Way extension ROW acquisition.) What would be the purpose of the use of eminent domain for acquisition of the Peralta Oaks-Foothill Way extension R-O-W? (144.1, 333.1)

Response. See response to Environmental Point C.18 which follows.

Environmental Point C.18. (Peralta Oaks Drive-Foothill Way Extension ROW acquisition.) The EIR does not adequately address the impacts of taking portions of five properties of

those property owners. / The EIR is silent as to whether eminent domain will be used to acquire private lands needed for the access road. Many believe that such an action would not be within the public interest. (168.9, 199.6, 355.3)

Response. The RDEIR explains on pages 100, 101, 139, and 140 that implementation of the Peralta Oaks Drive-Foothill Way extension would require acquisition of portions of five privately owned residential lots, amounting to minimum total of approximately 0.072 acres, plus acquisition of the necessary ROW across the western portion of the EBMUD Dunsmuir Reservoir property. The RDEIR states on page 139 that, "if this aspect of the project was approved, the ROW acquisition would be made by the city, with reimbursement by the applicant." The RDEIR then states on the bottom of page 139 and the top of page 140 how City compensation for such an acquisition or "taking" would be established. As explained on RDEIR pages 10, 97, 100, 101, 226, and 277, the Peralta Oaks Drive-Foothill Way extension was legislated as City policy in the Oakland Comprehensive Plan 1985 Trafficways Map adopted by the Oakland City Council in 1972. The *1985 Trafficways Map*, designated the route as a "collector street." The OCP describes "collector streets" as routes which "should serve traffic movement between arterial and local streets, and also provide direct access to abutting properties. They should also be so designed that they do not attract large volumes of through traffic. (51836)." The OCP states that "the map entitled 1985 Trafficways illustrates the City's trafficways policies. (54008)." Construction of the extension would serve a public purpose by implementing adopted City general plan circulation policy. The connection would create a frontage road along the easterly side of I-580.

The extension alignment and the related I-580 onramp modification were subsequently adopted as the official plan of the City by Oakland City Council Resolution No. 53874 CMS, on March 26, 1984.

Environmental Point C.19. (Bus shelter.) RDEIR page 102, item (c), states "no bus shelter would be constructed." The applicant states that a bus shelter opposite the ticket booth has always been a part of the proposed Dunsmuir House South Gate improvements. (167.19)

Response. Comment accepted. RDEIR page 102, item (c), has been revised accordingly.

Environmental Point C.20. (Review of the proposed project access/Dunsmuir House and Gardens modifications by the Dunsmuir House Board.) RDEIR page 118, paragraph 4, says that the proposed access to Dunsmuir would require an advisory review and recommendation by the Dunsmuir House and Gardens, Inc. (DHGI) Board, the City Parks and Recreation Advisory Commission, and the Landmarks Preservation Advisory Board. This must be more than just "advisory." The Dunsmuir Board must have final approval of any access or encroachment of the Dunsmuir property and input and approval of the design of any improvements, landscape, hardscape, parking, roads, gates, etc. (181.6)

Response. At the present time, the City (City Council) is the responsible agency for such decisions and the DHGI is the contractual operator of the facility with none of the authority which is suggested in this comment, unless the City wishes to relinquish its decision-making authority to DHGI. The administrative and advisory procedures described on RDEIR page 118, paragraph 4 and in the related footnote 3 are based on explanations provided by the Director of the Oakland Office of Parks and Recreation. Please also see response to Environmental Point D.23.

Environmental Point C.21. (Dunsmuir House access gate location.) It is not historically correct to say that the main Dunsmuir House gate was located at the south end of the property. The main gate has always been at the opposite end of the property where the Dunsmuir Board office and staff are located. The proposed new gate would create a serious management, public relations, and security problem. (181.5)

Response. The applicant states that most of the proposed improvements were designed and included at the request of the then Executive Director of Dunsmuir House and Gardens, Inc., John Kidder. The applicant also states that each detail was presented by Hayward Exchange, Inc., (HEI) to the Dunsmuir House and Gardens Architectural committee, and by the project architect, Richard Olmsted, to the Board of Trustees of DHGI. Finally, the project architect and the DHGI Executive Director made an informational presentation of the proposed design to the City Parks and Recreation Advisory Commission.

HEI states that they agreed to the request by the then DHGI Executive Director, John Kidder, to build the proposed gate complex for the south entrance of Dunsmuir House and Gardens in conjunction with the development of the project. HEI states that it was informed at that time that the present "main gate" (at Peralta Oaks Court) was not constructed until the early 1900s, and that the existing Dunsmuir House and Gardens Master Plan called for the improvement of the South Gate as the main entrance.

Finally, HEI states that they would have no objections to deleting these improvements from their project plans if the City does not desire them.

Environmental Point C.22. (Location of the project access drive and Dunsmuir parking lot.) The proposed visitor identification station and turnaround (see Figure 14, RDEIR page 99) would encroach onto Dunsmuir House property. The effect this will have on mature trees along that side of the property has not been addressed. Also, the proposed 45-car parking lot for use by Dunsmuir visitors and project commuters has been proposed to be located on Dunsmuir property. This property is now used for stabling of the carriage horses used during special events. It should not be approved unless it is found to be appropriate by the Dunsmuir master plan. The DHGI has not been consulted in this regard. Since this access and parking lot would require demolition of existing historic structures, it is not likely that it would be approved. (181.7, 181.8, 181.11)

Response. The applicant states that the visitor i.d. station and turnaround were designed in conjunction with an earlier request of the DHGI for a service entry access separate from the public south gate access. The applicant states the DHGI also requested that secure parking be provided for DHGI employees. The project architect states that, as currently planned, the encroachment would not disturb any existing trees. If desired, the applicant states that the service entry could be eliminated and the turnaround moved to avoid the need for the use of any City property. .

Environmental Point C.23. (Phasing of Dunsmuir House and Gardens modifications.) The proposed project entry improvements, parking, and access mitigation measures must be part of the initial phases of access road construction, before construction starts on any housing,

to protect the solitude and environment of the Dunsmuir House and Gardens (DHG) property. (181.12)

Response. The project sponsor proposes to construct the Peralta Oaks Drive-Foothill Way extension and all related DHG improvements during the initial construction phases of project development. In response to this comment the discussion of project construction phasing on RDEIR page 114 has been revised to include this clarification.

Environmental Point C.24. (Location of Chabot Park Highlands.) Chabot Park Highlands is not adjacent to the project site; it is separated from the project site by the Drinnen property. (165.1)

Response. The comment is inaccurate. The Drinnen property is included within the Chabot Park Highlands subdivision, as explained on RDEIR pages 130, 131, and 139.

Environmental Point C.25. (Visibility of units in Central Subarea.) RDEIR page 93 states that units near the ridge edge of the Central Subarea would be prominently visible from viewpoints to the north, east, south, and west due to the elevated, prominent nature of this central ridge. There are three additional reasons why this subarea could be prominently visible: the units are at the ridge edge, the units are multiple stories high, and the units are not screened by landscaping. (165.2)

Response. In response to this comment, RDEIR page 93 of the Project Description has been revised to state that "*Development* near the edge..." rather than "*Units* near the edge...": would be prominently visible. A more detailed explanation and evaluation of the visual implications of the proposed development characteristics within Subarea D is included in section IV.B. of the EIR, Visual Factors. Such impact analysis information would be inappropriate on RDEIR page 93, which is the Project Description chapter.

Environmental Point C.26. (Peralta Oaks Drive-Foothill Way extension ROW.) If this ROW is not provided, what other main access road possibilities would be considered. (165.3)

Response. Extension of Foothill Way to the project access drive, and associated private property acquisitions (approximately 0.072 acres), would be essential to the provision of the proposed access to Foothill Way. The proposed extension of Foothill Way to connect with Peralta Oaks Drive is not essential to the project, but is intended to implement broader City OCP 1985 Trafficways Map policies with respect to "collector streets." Alternative access possibilities to the Foothill Way connection are limited to connection to the Sheffield Village street system, via Marlow Drive and Covington Street (such a scheme was proposed in 1973, but has since been rejected, as explained on RDEIR pages 123 and 124), or via Golf Links Road with no connection to the west. This latter scheme has not been advocated in light of the existing circulation constraints along the Golf Links Road/Malcolm Avenue roadway system. Please see more detailed response to Environmental Point F.51 regarding the implications of a Golf-Links-Road-only connection. Please also see response to Environmental Point C.15 regarding EBMUD ROW acquisition procedures.

Environmental Point C.27. (Emergency access road grade.) What percent grade would the proposed emergency access road and connection to Cranford Way have? (165.4)

Response. The project civil engineer states that the maximum gradient of this proposed emergency access road would be approximately 17 percent.

Environmental Point C.28. (Vesting tentative map.) What is a vesting tentative map, as mentioned on RDEIR page 117? (165.7)

Response. As set forth in Chapter 4.5 of the state Subdivision Map Act (Section 66498.1 *et seq.*), a vesting tentative map (VTM) is a type of subdivision tentative map which, when approved, may expressly confer a vested right to procedure with development in substantial compliance with ordinances, policies, and standards in effect at the time the application for approval of a VTM is complete. The vested right associated with the VTM extends for a substantial period of time beyond the filing for recordation of the final map. Thus, the VTM statute offers the developer a degree of assurance that the city regulations and policies in effect at the time the application for tentative map approval is made will apply for a substantial period into the future. The city can require additional information before processing a vesting tentative map (e.g.,

on the height, size, and location of buildings, infrastructure details, detailed grading plans, etc.)

Environmental Point C.29. (Measure K.) The RDEIR on page 126 says that "no specific open space lands are identified in the Measure." There is a list of possible acquisitions which the Cultural Committee and Office of Parks and Recreation are now working with to decide which purchases can be made with the first round of money (\$7.5 million) from Measure K. Dunsmuir Ridge is on that list. Also the City has an option to take the Dunsmuir Heights property under its right of eminent domain. This option is part of Measure K. (165.8)

Response. The legislation as recently passed includes no reference to specific properties. The RDEIR language on page 126 remains correct. Obviously, the background leading up to the passing of Measure K, and the subsequent implementation of Measure K, has included and will continue to include consideration of the project site for possible acquisition. Discussion of Measure K has been included in this and other sections of the RDEIR with this fact in mind.

Any eminent domain action to take all or a portion of the project site for community open space purposes would be subject to the same compensation requirements as described on RDEIR pages 139 and 140. Section 1263.310 of the California Code of Civil Procedure requires that compensation be the fair market value of the property that is taken.

Environmental Point C.30. (Road gradient.) Several of the slope ratios shown on Figure 16, RDEIR page 103, appear to be inconsistent with the road sections shown. (236.1)

Response. The cross-sections on Figure 16 are meant to be diagrammatic, and are not drawn to scale. Therefore, the 2:1 and 1.5:1 slope indications that appear on this figure do not represent their respective scales. In response to this comment, Figure 16 on RDEIR page 103 has been revised to remove the 2:1 and 1.5:1 slope indication symbols, and a general verbal statement has been added to the figure

instead, indicating that all cut slopes would be 1.5:1 or less, and all fill slopes 2:1 or less.

Environmental Point C.31. (Incomplete approvals.) The RDEIR should address the status of the project if some approvals were achieved and others were not. (225.14, 307.1)

Response. For the project to proceed exactly as described in section III of the RDEIR, all of the jurisdictional approvals listed on RDEIR pages 121 and 122 would be necessary. If certain of these approvals were denied, the project would have to be modified to change or eliminate those aspects that require that particular approval.

Environmental Point C.32. (Inadequate project description.) The project being reviewed or evaluated is never presented in its entirety. (93.53)

Response. The comment is inaccurate. RDEIR pages 75 through 126 are devoted exclusively to project description, and provide a comprehensive disclosures of all environmentally pertinent aspects of the project application known to the City at the time of the RDEIR preparation.

Environmental Point C.33. (Compliance with construction planning schedule) What guarantee is there that the project would be completed in five years? Are the custom homes included in the construction schedule? (162.4)

Response. There is no guarantee that the project would be completed in five years. As shown on page 115 of the RDEIR, the custom homes are included in the construction schedule.

Environmental Point C.34. (Description of Measure K) The description of Measure K on page 126 of the RDEIR is wrong. Specific Open Space acquisition sites were listed in City Council Resolution #67209 of July 31, 1990 and Dunsmuir Ridge is included on this list. The residents of Oakland have voted to tax themselves to buy Dunsmuir Ridge to preserve it as open space. The EIR should state this clearly. The EIR should note that the existence of funding from Measure K also increases the likelihood of Oakland being able to generate match funding from other sources. (228.17, 228.18, 228.19)

Response. The description of Measure K on page 126 of the RDEIR is correct. While the Dunsmuir Heights site was mentioned in this City Council resolution, it was not included in Measure K. The description of Measure K was based upon the actual text of the measure and on a conversation with H. K. White, the Director of the City of Oakland Office of Parks and Recreation. While no specific open space lands are identified in Measure K, as stated on page 126 of the RDEIR, the project site has been cited in public discussions as one of the sites that could be acquired with Measure K funds. The comment regarding matching funds has not been substantiated and has no bearing on the findings of the RDEIR.

D. COMMENTS ON RDEIR SECTION IV.A: LAND USE, POPULATION, AND HOUSING

Environmental Point D.1. (Project relationship to Bay Area Greenbelt.) The RDEIR is not clear regarding the significance of the site as part of the Bay Area Greenbelt. The RDEIR should make clear that the project site is surrounded on three sides by open space (see labels on Figure 7), including the Drinnen property, golf course, and EBMUD/EBRPD park and watershed lands. The project site is also adjacent to two city parks: the Dunsmuir House and Gardens complex and the Lake Chabot Municipal Golf Course. The site is highly visible from nearby EBRPD open space areas and Lake Chabot Regional Park, from Oakland, and San Leandro. The Greenbelt Alliance has listed the Dunsmuir Ridge as a part of the Easy Bay's Greenbelt Lands. The Greenbelt Alliance mapping project has indicated that Dunsmuir Ridge is designated as a threatened or "high risk" part of the Greenbelt. (97.2, 190.21, 346.2)

Response. A careful reading of the RDEIR will demonstrate that the project relationships to the subregional open space pattern are not understated in the RDEIR as the comment implies, but rather are clearly, thoroughly, and adequately described, particularly in section (3) on RDEIR page 133 which is entitled "Subregional Pattern of Urbanization and Open Space." That section, in combination with Figures 21 and 22 on RDEIR pages 131 and 134 ("Subregional Urbanization and Open Space Pattern") clearly, thoroughly, and adequately point out "the relationship of the project site to the existing open space pattern encompassing the ridgelines above Oakland and San Leandro" (RDEIR page 133), which "is comprised of numerous contiguous permanent components, including Joaquin Miller Park, Redwood Regional Park, Anthony Chabot Regional Park, Knowland State Arboretum and Park, and Oakland (Lake Chabot) Municipal Golf Course." The same paragraph also states that "the 132-acre project site, in combination with the 33.5-acre Drinnen property to the north, the golf course to the east, and the EBMUD watershed lands to the south, currently forms a significant open space adjunct to Anthony Chabot Regional Park, and the greater ridgeline open space system shown on Figure 22."

The Greenbelt Alliance is not a responsible or trustee agency under CEQA, and its mapping project has no official plan policy status.

Environmental Point D.2. (Anthony Chabot Regional Park relationship to project.)

Figure 22 incorrectly shows the boundaries of Lake Chabot Municipal Golf Course extending along the southwest border of the project. Nowhere in the text page 129-133 is the proximity of the site to the regional park open space described; yet Figures 7, 18, and 24 all show the project southwest boundary contiguous to the EBMUD leased land to the EBRPD. Thus the section is incorrect and misleading. The RDEIR fails to indicate that the site is bordered to the southwest by a major EBRP open space area, even though the maps throughout the RDEIR show this. This failure gives the misleading impression that this site is surrounded by developed areas. In fact, the site is surrounded on three sides by open space areas and parks. (11.1, 190.21)

Response. A graphic error on Figure 22 has been corrected in response to this comment to correctly show that the land along the southern border of the site is EBMUD watershed land leased to the EBRPD, as correctly shown on numerous other maps in the RDEIR. Otherwise, as explained in response to similar Environmental Point D.1, the comment is unsupportable. The project relationship to the surrounding subregional open space system, including the fact that the site is contiguous to open space on three sides, is clearly described and emphasized throughout the RDEIR, particularly on page 133, section (3).

Environmental Point D.3. (Existing ridgetop residential development.) The description of existing ridgetop residential development in the project vicinity on RDEIR page 141, section (3), should include the Bay-O-Vista neighborhood. (167.28)

Response. Comment acknowledged. RDEIR page 141, section (3) has been revised to incorporate this change.

Environmental Point D.4. (Adjacent land use.) RDEIR page 77 says that the Chabot Park Highlands neighborhood is north of the site. The Chabot Park Highlands neighborhood is north, but not adjacent to the project. The Lands of Drinnen are immediately north of the site. (165.1)

Response. The RDEIR does not state that the project site is adjacent to Chabot Park Highlands neighborhood. Extensive text and graphics throughout the RDEIR clearly

show that lands of Drinnen are immediately north of the site (see RDEIR pages 78, 87, 106, 109, 129, and 130). Lands of Drinnen title documents do indicate that the undeveloped property is within the boundaries of the 1947 Chabot Park Highlands Subdivision.

Environmental Point D.5. (Adjacent land use.) Existing residential development along Turner Avenue and Sun Valley Drive also abuts the golf course. (167.25)

Response. Comment acknowledged. RDEIR page 138 has been revised to incorporate this information.

Environmental Point D.6. (Adjacent land use.) The RDEIR does not adequately address the complete incompatibility of the project with surrounding neighborhoods. (187.2)

Response. Project relationship, compatibilities, and land use impacts on surrounding neighborhoods are thoroughly and adequately described and illustrated on RDEIR pages 129, 130, 131, 132, 133, 134, 135, 136, 137, **138, 139**, 140, 141, 142, 143, and 144.

Environmental Point D.7. (Construction period impacts on Chabot Park Highlands.) Chabot Park Highlands is concerned with construction period impacts on their private streets associated with project utility service extensions. Streets here are substandard; trenching will cause dissimilar cross-section and future problems with separations along the trench. The Association has had similar problems with past EBMUD water line construction; this issue must be addressed in the requirements for road repair and future maintenance after trenching and backfill. (98.15)

Response. Project offsite water line construction impacts, including impacts of the possible water line extension through the Chabot Park Highlands neighborhood, and related mitigation recommendations, are described on RDEIR pages 376, 377, and 378. The description indicates that the impacts on traffic and noise would be temporarily disruptive and unavoidable, and also indicates that with an assurance that normal EBMUD construction period mitigation standards are followed, water line construction impacts would be considered less than significant.

EBMUD would be responsible for the design and construction of the water line extensions, and would be responsible for restoring any disturbed pavement surface to its original condition, using design and construction practices which reflect the latest City standards. EBMUD would be responsible for correcting any significant violation of those standards identified by the City in response to any future public complaint.

Environmental Point D.8. (Chabot Park Highlands lot sizes.) The RDEIR on page 139 incorrectly states that Chabot Park Highlands has one-quarter-acre lots; actually, the neighborhood lots are one-acre minimum. (320.1)

Response. Based on examination of local basemaps and aerial photography, RDEIR page 139 has been revised to read "on lots typically ranging from one half to over one acre in size."

Environmental Point D.9. (Impacts on the golf course.) The RDEIR indicates that the project would not have an impact on the championship status of the golf course, because the golf course does not currently have championship status. However, this indication ignores the fact that the project would land-lock the golf course, precluding any future changes necessary to achieve championship status. (107.10, 107.11, 168.5)

Response. Comment acknowledged. In response to this comment, RDEIR pages 400 and 401 have been revised to identify this finding as a potential impact and to convert the referenced italicized "note" to a recommended mitigation measure.

Environmental Point D.10. (Impacts on the golf course.) The fairway and green of golf course hole #16 are considered by many as the most picturesque site on the entire golf course and is frequently the location where slow play is a tradition to take pictures and enjoy the view corridor that is truly magnificent and appreciated by over 60,000 golfers annually. Oakland OPR believes that the project would adversely affect the quality of this hole. (107.5, 168.5)

Response. Comment acknowledged. RDEIR pages 400 and 401 have been revised to identify this project impact as significant and to emphasize the related mitigation measures which were already suggested in the RDEIR.

Environmental Point D.11. (Impacts on the golf course.) The project would increase City liability which is already jeopardized with golf course trespassing by joggers, bikers, hikers, and walkers who ignore the dangers of golf balls, and will increase the disruption of revolving golf course play that could negatively affect the City's revenue-generating potential. This impact is significant and requires mitigation, contrary to mitigation item (1) on RDEIR page 400. (107.6, 107.7, 168.5)

Response. Comment acknowledged. RDEIR page 400, item (5), has been expanded to incorporate this impact information, an mitigation item (1) has been revised to refer to other mitigations already included in this RDEIR section which would mitigate the impact. The project impact on golf course security has already been identified as significant.

Environmental Point D.12. (Impacts on golf course.) Oakland OPR agrees with the mitigation concept described on RDEIR pages 401 and 402(5), but recommends that the applicant and City evaluate the proposed mitigation where related elevation and site plans become available. (107.12)

Response. This review procedure would be an inherent part of the required subsequent OPR approval procedures which would be required for the Vested Tentative Map.

Environmental Point D.13. (Impacts on golf course.) The measure on RDEIR page 345 (4a) calling for a pedestrian and bicycle path to Grass Valley School is in conflict with mitigation for golf course security. Related impacts on the golf course are not identified and no safety analysis from the Oakland Police Department or Oakland OPR is included. (167.13, 167.71)

Response. The referenced path mitigation measure (4a) on RDEIR page 395 includes parameters addressing the need to provide adequate separation from golf course

activities and "adequate protection in the form of fencing or heavy landscaping to protect trail users from golf balls and to reduce trail impacts on the playability of the golf course." The path could also be provided in conjunction with other mitigations calling for a roadway connection through the golf course between the project and Golf Links Road. The aforementioned safety design measures would be subject to review and acceptance by the Oakland Police Department and OPR as part of the City's normal subdivision approval process.

Environmental Point D.14. (Impacts on golf course.) The description of project water line construction impacts on the golf course should be revised to explain that the impacts would vary with the final water line alignment selected, and that disruption of play could be minimized by use of temporary greens (such as currently existing at hole #15), etc. (Other related additional language also suggested.) (167.63)

Response. Comment acknowledged. RDEIR page 376, item (3) and RDEIR page 378, item (3) have been revised to incorporate appropriate aspects of this comment.

Environmental Point D.15. (Impacts on golf course.) What would the length and height be of the masonry wall proposed along the golf course boundary? (165.9)

Response. As explained on RDEIR pages 143 and 144, the length of the wall would include "the entire length of the shared boundary with the golf course" with an interruption to provide access to the Peralta Reservoir. The height would be determined in consultation with the Oakland OPR and EBMUD, with both visual and security considerations in mind, as explained on RDEIR page 144.

Environmental Point D.16. (Cumulative development; church property.) A 20+ acre church-owned site behind Dunsmuir House could be made accessible as a result of the project. (The parcel is referred to in one comment as the 22-acre "East Hills Community Church property.") The impact of such development needs to be studied and factored into all present site impacts. (98.39, 204.A.9)

Response. The parcel cited is identified as the Melrose Baptist Church property in County Assessor's records. RDEIR pages 132, 142, 144, 199, 200, 253, and 329,

have been revised to specifically address the cumulative impacts of possible future development of this nearby property. The project would be expected to stimulate interest in the development of this property, but would not provide access to the property. Access would be provided via Kerrigan Lane in Chabot Park Highlands.

Environmental Point D.17. (Cumulative impacts.) There is no substantiation for the RDEIR statement on RDEIR page 142 that the project, if successfully marketed, would increase pressures to develop the nearby quarry and Fairmont Hills sites with similar residential units. Development of the project site would not result in extension of any utilities or services to these other two sites. (167.29)

Response. The point of the cited RDEIR statement is that the project, if successfully marketed, could be expected to have an indirect, precedent-setting impact in stimulating increased interest in similar development of the quarry and Fairmont Hills sites.

Environmental Point D.18. (Cumulative impacts.) Regarding the same statement on RDEIR page 142, the RDEIR indicates that these two proposals (quarry and Fairmont Hills development) will be stimulated by the project. The RDEIR should address that significant adverse growth-inducing impact. (190.26)

Response. The cumulative impacts of development of these two sites are adequately described on RDEIR pages 142, 144, 253, 254, 256, 257, 258, 259, 260, 272, 274, and 275.

Environmental Point D.19. (Drinne property.) The RDEIR on page 173 should indicate that the "heavily wooded ravine" is the Drinne property. (93.5)

Response. RDEIR page 173 has been revised to add this notation.

Environmental Point D.20. (Impacts on Dunsmuir House and Gardens.) The impacts of the proposed Peralta Oaks Drive-Foothill Way extension on the historic Dunsmuir House and Gardens, which is less than 3,000 feet away, are not addressed. What does the

Oakland OPR and the State Historic Preservation Division think of the increased traffic, proposed park and ride lot, and general proposed development plan? (87.4)

Response. The impacts of the project and the extension of Dunsmuir House and Gardens are adequately conveyed on RDEIR pages 140, 141, 343, 344, and especially 399. Review and approval responsibilities of the Oakland OPR and other responsible agencies are described on RDEIR page 140, and on pages 118, 119, and 122. Please also see responses herein to related Environmental Points C.20, C.21, C.22, and C.23.

Environmental Point D.21. (Impacts on Dunsmuir House and Gardens.) Oakland OPR disagrees with mitigation measure #3 on RDEIR page 400 and suggests that the applicant, Oakland OPR and DHGI Board representatives meet and discuss possible impacts and mitigation measures. (107.9)

Response. Mitigation measure (3) on RDEIR page 401 has been revised in response to this comment. Please also see responses to Environmental Points C.20, C.21, C.22, and C.23.

Environmental Point D.22. (Impacts on Dunsmuir House and Gardens.) The Peralta Oaks Drive-Foothill Way extension would require use of eminent domain to acquire the Foothill Way portion of the route; the primary beneficiary of this road construction would be the developer. Part of the proposed Dunsmuir Heights Road would be located on property that is currently part of Dunsmuir House. (144.5)

Response. Please see responses to Environmental Points C.15, C.16, C.18, and C.22.

Environmental Point D.23. (Impacts on Dunsmuir House and Gardens.) The statement on RDEIR page 140 that the proposed Dunsmuir House and Gardens modifications "would require a recommendation of approval by the Dunsmuir House Board of Directors, and a recommendation of approval by the Oakland Parks and Recreation Commission should be changed to "The City Council may request a recommendation on these offsite project components from the Dunsmuir House and Gardens Board of Directors, Office of Parks and

Recreation, and Planning Commission prior to Council approval." The same RDEIR paragraph should be revised to indicate that the modifications are "likely to be reviewed" rather than will "require review" by the Oakland Landmarks Preservation Advisory Board. In addition, the same paragraph should be revised to indicate that these modifications "would" be beneficial rather than "may" be beneficial; and the list of beneficial components should be revised to also include a "bus shelter," "additional on-street parking," and "added" landscaping. (167.26, 167.27) Also, the statement on page 140 that the "entire" Dunsmuir House and Gardens complex is a registered landmark should be changed to indicate that only the house itself is a registered landmark. (167.23, 167.26, 167.27)

Response. Most of these comments have been accepted as accurate and associated revisions made to RDEIR page 140. However, the phrase "may be beneficial" has been retained, rather than "would be beneficial," in light of Environmental Points C.21 and C.22. Regarding Dunsmuir House and Gardens landmark status, RDEIR pages 132 and 140 have been revised to provide the following clarification, as provided by Helaine Kaplan-Prentice, RLA, Associate Planner, City of Oakland (December 26, 1990): the entire area within the house and grounds boundary is designated as a City of Oakland landmark site, and the mansion is listed on the National Register of Historic Places.

Environmental Point D.24. (Impacts on Dunsmuir House and Gardens.) Does Dunsmuir House and Gardens want this project? Do they expect to move operations to the south entrance as proposed? Do they want access road noise? Do they want existing horse corrals and feeding areas destroyed, and major changes to the south end of these facilities? The environmental impacts and effects of the project on Dunsmuir House and Gardens need to be spelled out clearly and succinctly. Also, why has EBMUD offered the Peralta Oaks extension land for sale directly to Rob Miller of Hayward Exchange? (235.2)

Response. Please see responses to similar Environmental Points C.13, C.15, C.16, C.17, C.18, C.20, C.21, and C.22.

Environmental Point D.25. (Impacts on nearby property values, EBRPD property.) How will the project affect the value of nearby homes? The Peralta Oaks Drive-Foothill Way

extension would add to the value of the EBRPD headquarters site by increasing its accessibility. (250.3)

Response. Project economic impacts on the value of nearby property, including nearby homes and the EBRPD headquarters site are not considered to be "environmental" issues and thus have not been included in the EIR scope. CEQA Guidelines Section 15131(a) states that "economic or social effects of a project shall not be treated as significant effects on the environment." The focus of the EIR has been on physical changes. The traffic impacts of the extension are addressed in section IV.C. of the RDEIR.

Environmental Point D.26. (Open space impacts.) The RDEIR should note that the project site, if changed from a residential to an open space designation, would represent about two percent of the approximately 6,000 acres of existing subregional parkland described on RDEIR 133, paragraph (3). It should also be noted that the EBMUD watershed land adjacent to the eastern boundary of Anthony Chabot Regional Park should be included as open space. The lands of Anthony Chabot Regional Park are leased to the EBRPD. The project site is not adjacent to a regional park or the other parks which stretch for more than eight miles from Lake Chabot Road in Castro Valley to Redwood Regional Park. (167.24)

Response. Figure 22 on RDEIR page 134 clearly illustrates the size and overall relationship of the project site to the subregional open space system. In the EIR author's judgment, Figure 22, in combination with associated RDEIR text, adequately and appropriately indicates that "the 132-acre project site, in combination with the 33.5-acre Drinnen property to the north, the golf course to the east, and the EBMUD watershed lands to the south, currently forms a significant open space adjunct to Anthony Chabot Regional Park, and the greater ridgeline open space system shown on Figure 22. Nevertheless, RDEIR page 133 has been revised in response to this comment to also include reference to the EBMUD watershed land east of Anthony Chabot Regional Park, and to clarify that Anthony Chabot Regional Park itself is on EBMUD-leased land (as already shown on RDEIR Figure 7).

Environmental Point D.27. (Open space impacts.) Commenter does not agree with characterization of project as having a "significant, unavoidable open space impact." The entire site was zoned residential. The time to argue open space issues was back when the OCP and zoning regulations were enacted. Furthermore, how many acres of open space land are already in the area? In context, the project site represents a very small percentage of the open space system and is surely not a significant impact. (89.1)

Response. Regarding size relationships, please see response to Environmental Point D.26 above. Also, CEQA EIR guidelines imply that an EIR should describe the impact of the project on the pre-existing environmental setting, so that changes can be seen in that context, even if applicable general plan policy calls for a difference use. (See CEQA Guidelines section 15125(c) and associated discussions on pages 136 and 137 of the guidelines.)

Environmental Point D.28. (Open space impacts.) Since the term "open space" is a technical zoning designation, its casual use to describe existing land use is confusing to the casual reader. The site is not being converted from a designation of open space to an urban use. It is residentially zoned and undeveloped. The term "open space" as used on RDEIR page 398 should be changed to "undeveloped" land. (167.1)

Response. Project general plan and zoning designations allowing residential use of the site are repeatedly described throughout the RDEIR. As explained in response to Environmental Point D.27, CEQA guidelines call for analysis of project impacts in comparison with the existing physical setting, regardless of adopted general plan policy for future use of the subject property. Project impacts on the existing local open space pattern are described in this context throughout the EIR (see RDEIR pages 133, 134, 136, 137, 141, 142, 144, etc.). In this context, the terms "undeveloped land" and "open space" are used interchangeably in the RDEIR. The EIR authors are not aware of any "Open Space" designation, per se, in the Oakland Planning Code (zoning ordinance) or OCP.

Environmental Point D.29. (Impacts on EBMUD open space lands.) The RDEIR does not include mitigations for identified project impacts on EBMUD open space lands, including

impacts by domestic pets, poaching, offroad vehicle access, firewood gathering, dumping, etc. (157.16)

Response. The RDEIR identified open space impacts cited in this comment pertain to onsite open space only (see RDEIR pages 431 and 434). Given the proposed project access and residential layout, and the topographic characteristics of the site in relationship to adjacent EBMUD lands to the south and southeast, as illustrated by RDEIR Figure 23, the project-introduced areas of human activity would be adequately separated from the adjacent EBMUD lands by a substantial and steep onsite permanent open space buffer. The project roadway and neighborhood layout would not be expected to significantly increase public intrusion into nearby EBMUD lands, given this separation. Also the gated aspect of the proposed project, and the proposed RDEIR mitigations for protection of onsite open space areas against such impacts (leash regulations, offroad vehicle prohibitions, etc.) would further reduce the likelihood that such impacts on nearby EBMUD lands would reach significant levels.

Environmental Point D.30. (Oakland Comprehensive Plan validity.) An inadequate plan is an issue under CEQA. According to CEQA, the DEIR must assess the conformance of the project with applicable plans. It is not clear whether an assessment against a legally insufficient general plan constitutes an adequate analysis. The City's *Housing Element* is inadequate. (78.4, 327.3)

Response. CEQA Guidelines Section 15125(b), the CEQA provision pertaining to general plan consistency evaluation needs, states that "the EIR should discuss any inconsistencies between the proposed project and applicable general plans and regional plans." The RDEIR includes an extensive analysis of project consistency with all adopted elements of the Oakland Comprehensive Plan (the City's general plan). Evaluation of existing general plan adequacy is beyond the scope of this project EIR.

Environmental Point D.31. (Project consistency with City planning guidelines and policies.) Commenter opposed to project because project is apparently inconsistent with the planning guidelines and policies of the City of Oakland related to housing developments and quality land use, and is inconsistent with current zoning restrictions for the area. (187.4)

Response. Comment pertains to merits of project rather than to the adequacy of the RDEIR. Project consistency with OCP housing policies is adequately discussed on RDEIR pages 149 through 152. Project consistency with OCP land use policies is adequately discussed on RDEIR pages 149, 150, and 153 through 160. Project consistency with City of Oakland zoning regulations is discussed on RDEIR pages 162 through 167.

Environmental Point D.32. (OCP policy consistency.) The RDEIR incorrectly states on page 154 that the project conforms to the policy that every development which occurs in a site of substantial size should reserve the most appropriate portions as permanent open space. The southwest-facing slopes and the ridge are the most appropriate portions of the site for preservation. In addition, the oak woodland and ephemeral stream must be preserved at all cost. The statement on RDEIR page 154 that the mitigation measure identified on section IV.D.4 would achieve project consistency with hillside policy completely missed the point. If open space is not preserved in a natural state, it significantly loses value. (189.5, 189.6, 308.2)

Response. The RDEIR does not state on p. 154 that the project conforms to this policy; on the contrary, the RDEIR states here that a number of aspects of the project design, including those factors cited in this comment, "would be inconsistent with the objective." The comment regarding the inadequacy of the mitigation measure here, is acknowledged, however, and has been revised in response to this comment to also cite other additional mitigation measures identified elsewhere in the RDEIR which would also be necessary to improve, but not necessarily achieve project consistency with this interpretive OCP policy (e.g., measures to reduce grading, reduce and offset tree removal impacts, and mitigate ephemeral stream impacts would improve project relationships to this policy, but the visual impact of the hillside access road would remain significant.)

Environmental Point D.33. (Density computation.) The gross density figure of 3.8 units per acre is misleading. The density of housing on developed land is 7.7 units per acre. The area used for building (the development area) should be used to compute density, not the total area of the site, much of which is unusable. The density of the 507 units should be calculated over 66 acres, less any public roadways (RDEIR page 144) The density

computation on RDEIR 149 is dishonest because it "fudges" with public versus private road considerations and uses 132 acres instead of 66 acres.

The intent of the R-30 zone is to provide for housing with space around it. The density does not provide adequate space between units (RDEIR page 165). The departure in character from surrounding land uses will not be solved by open space between developments. The view of housing density and ridgetop locations cannot be hidden; views as well as visual separation must be considered (RDEIR page 166). The developer is keeping the private road "because he needs the low density number." (93.39, 93.40, 98.1, 98.26, 98.40, 235.1, 235.5)

Response. The density computations on pages 162 and 165 of the RDEIR are thoroughly explained, and were correctly devised based on standard City of Oakland density computation methodologies and were subject to the review and approval of the Oakland Planning Department. The implications of public versus private streets for the density results are also thoroughly explained (see RDEIR page 149). The RDEIR is not "misleading" in this regard. The RDEIR on page 139 states that "the density of the project residential areas, excluding the 66-acre permanent open space area, would be upwards of eight units per acre."

As stated on RDEIR page 165, the City PUD Permit Procedures provide for certain lot size, lot configuration, lot frontage, building setback, and other variations from the city's normal R-30 requirements. The project sponsor is requesting a PUD Permit to allow for such variations. The amount of space proposed between various project units (see Figures 7 and 11) is typical of conventional PUD clustered development plans. The impact of this clustered character on the image of surrounding existing neighborhoods would be reduced by surrounding permanent open space separations, as indicated on RDEIR page 139. However, the RDEIR also clearly indicates on pages 137, 138, and 139 that the "clustered ridgetop development pattern of the project would substantially alter the land use character of the area..." and that "this change in semi-rural character would constitute a significant adverse environmental impact." The point made in the RDEIR is that the density per se would have a less than significant land use compatibility impact, due to the permanent open space separations, but that the visual impact of clustering, where prominently visible from surrounding neighborhoods, would

constitute a significant adverse impact. The RDEIR recommends an extensive system of mitigations to address these visual impacts.

The intent of the private road status, as described in the RDEIR, has nothing to do with density targets.

Environmental Point D.34. (Project does not meet city PUD Permit criteria.) The project does not meet the necessary criteria to qualify for a PUD Permit. (98.21, 98.40, 272.1, 272.2, 272.3, 272.4, 272.5, 272.6, 272.7, 272.8, 272.9, 272.10, 272.11, 342.1)

Response. The RDEIR discussion on pages 165, 166, and 167 is consistent with this comment. Please see response to similar Environmental Point D.42.

Environmental Point D.35. (Consistency with R-30 zoning.) Nearby parts of Chabot Regional Park and Lake Chabot are also zoned R-30. Moreover, the OCP Land Use Element states that the "overall density" allowable under R-30 would be "quite incompatible with topography and other natural conditions." Such unrealistic zoning could lead owners to assume R-30 density, "however badly they have to damage the landscape to get it." Large sections of the hills (and perhaps some R-30 areas in the foothills) could have allowable density reduced." (*Land Use Element* page 85). The RDEIR should note that this OCP policy indicates that, regardless of zoning, projects in the hill areas should stand on their own merits with regard to environmental impact. Please explain why the RDEIR section on zoning shouldn't include the above OCP passage. The RDEIR should state that, given the nature of the site, the proposed project may be incompatible with steep hillside conditions. The RDEIR should also state that R-30 zoning may be unrealistic, given the site constraints. (190.22, 190.23)

Response. There is extensive narrative in the 102-page OCP Land Use Element which can be effectively argued is pertinent to consideration of the project. This narrative is included in the OCP as informational background in support of the various official strategies, goals, policies, and objectives established in the plan. To keep the DEIR discussion within reasonable bounds, and to meet CEQA guidelines pertaining to discussion of project inconsistencies with applicable general plans, the RDEIR discussion focusses on project consistency with OCP goals, policies, and objectives.

The narrative cited above leads up in the OCP Land Use Element to a list of recommended regulatory actions, which include the need for the city to review its residential density and dwelling types regulations and, where appropriate, revise them where they allow excessive densities or are otherwise inappropriate. (See *Land Use Element* page 95, actions 1 and 10.)

Since the establishment of this "action" policy in 1980, the R-30 zoning of the project site has remained unchanged. As a result, the EIR discussion of project relationship to current zoning must necessarily pertain to R-30 zoning.

The broader issue of "good planning" and project compatibility with the site's topography and other natural conditions is extensively and thoroughly addressed throughout the RDEIR, including pages 153, 154, 155, 156, 157, 158, 159, 160, 166, 167, 208, 209, 210, 334, 444, 445, and 446.

Finally, the applicants propose a density of approximately 3.9 units per acre within the R-30 zoned area (see RDEIR page 162). The R-30 zone allows a maximum density of approximately 8.7 units per acre (see RDEIR page 165).

Environmental Point D.36. (Density compatibility with the Fairmont Hills and San Leandro Rock Quarry site.) The RDEIR states on page 162 that the project would be generally compatible in density and anticipated "cluster" lot pattern with...Fairmont Hills and San Leandro Rock Quarry sites." If all proposals are evaluated with public roads, the gross density of the project (4.5 units per acre) would be double the Fairmont and Quarry densities (2.24 and 2.28 units per acre, respectively). Is twice as many units per acre "compatible in density?" (165.15)

Response. Comment acknowledged. The RDEIR has been revised to eliminate the referenced paragraph on the top of page 162. In any event, the Fairmont Hills and Quarry sites east of San Leandro are substantially separated from the project site.

Environmental Point D.37. (Figure 23 misleading.) Figure 23 de-emphasizes the impacts of project density in relation to surrounding areas. The rendering "whitewashes" and

"downplays" the effects of the project density and is "misleading." The project should be rendered in the same "color" as the surrounding areas. (235.4)

Response. The superimposition of the project layout drawing on Figure 23, the local aerial photograph, (Local Land Use Pattern with the Project) at the correct scale, provides a useful depiction of the project relationship to the local land use pattern within the bounds of this EIR scope. The graphic technique is obvious in its approach and intent. If anything, the graphic is conservative, in that it excludes tree cover and other vegetation, pavement, topographic shadowing, and other aspects which would indicate more of a "blend" than this figure shows.

Environmental Point D.38. (Figure 24 is also misleading.) Figure 24 is also a misleading figure. The map is not truthful. The map shows the project at 3-times-larger scale than the rest of the neighborhood "to meet your purposes, which is [sic] to deceive." The figure is dishonest. (235.6)

Response. Figure 24, Existing Local Zoning, serves two purposes: to show the existing local zoning pattern, and to show a blow-up of the proposed project development plan with the existing zoning overlay. The latter would be difficult to do at the same scale. Figure 23 earlier in this chapter depicts the project layout in comparison with the surrounding development layout. All RDEIR findings have been thoroughly reviewed by City staff prior to their release. The intent has been to provide an objective disclosure document within the provisions of CEQA.

Environmental Point D.39. (Project relationship to hillside policies.) The RDEIR incorrectly states on page 153 that the project could be modified to achieve conformity if various mitigations described in IV.B.3 were implemented. The project will have a significant impact on its sensitive natural setting regardless of the number of units, due to the hillside access road. (189.1, 189.2, 272.3, 308.2)

Response. Comment acknowledged. The text on RDEIR page 153 has been revised in response to this comment to indicate that implementation of a number of mitigation measures recommended in the RDEIR would improve project consistency with the

OCP hillside policies, but that hillside access road visual impacts would remain significant, as explained in section IV.B.2 of the RDEIR.

Environmental Point D.40. (Hillside policy relationships.) For many of the reasons described, the commenter takes exception to the RDEIR conclusions regarding Resource Protection policies. The RDEIR seems to be justifying the project; a more objective and thorough documentation should be required. (189.7, 272.3)

Response. Responses to related comments are provided under Environmental Point D.39 above. The RDEIR describes the project relationship to the general plan with emphasis on identification of potential inconsistencies and measures necessary to bring the project into consistency with the plan. The RDEIR in no way has been designed or formulated to justify the project. Rather, the EIR is an objective analysis prepared under the close supervision and review of Oakland City staff, with no direct involvement by the project applicant.

Environmental Point D.41. (Infill characterization.) Statement that project is an "appropriate example of infill," as discussed in RDEIR section IV.A, is a misperception for numerous reasons which are described (extensive unavoidable impacts, replacement of scarce scenic open space with high-income homes, part of Bay region greenbelt, etc.). ABAG "infill" objectives are not met. The mitigation measure cited as necessary to meet these objectives cannot be attained. RDEIR pages 70 and 170 are not consistent and should be clarified with respect to project relationship to ABAG policies. (97.1, 98.24, 165.16, 167.16, 190.32, 190.33, 346.1)

Response. The conclusions described on RDEIR pages 169-170 regarding project relationships to ABAG Land Use Policy Framework policies clearly and adequately acknowledges the need to mitigate various identified transportation, municipal service, visual, and geotechnical impacts in order to achieve project consistency with these ABAG policies. The language on RDEIR page 70 has been edited slightly to improve internal consistency with language on RDEIR page 170.

Environmental Point D.42. (PUD Permit Criteria.) The RDEIR should clearly state that the project fails the City's PUD criteria and that a PUD Permit should not be granted. PUD

Permit criteria cannot be met. (189.8, 190.24, 272.1, 272.2, 272.3, 272.4, 272.5, 272.6, 272.7, 272.8, 272.9, 272.10, 272.11, 342.2)

Response. After extensive analysis on RDEIR pages 165-167, the RDEIR provides a fair, clear, and adequate statement with respect to project consistency with related PUD Permit approval criteria. The text first outlines the various identified environmental impact potentials which would be inconsistent with city PUD Permit approval criteria. The report then states on page 167 that "The EIR also identifies mitigation measures that would be necessary to reduce most of these impacts to less than significant levels. These measures would have to be effectively implemented to achieve project consistency with related PUD Permit approval criteria."

Environmental Point D.43. (Fairmont Hills Specific Plan.) The proposed Fairmont Hills Specific Plan was never adopted by the City of San Leandro or Alameda County. Fairmont Ridge is designated as agricultural open space in the Alameda County general plan. RDEIR page 73 re: Alternative H should be corrected. The ranking of Alternative H should be corrected. (190.19, 190.20, 190.28)

Response. Comment acknowledged. The word "adopted" has been deleted and other revisions have been made to RDEIR pages 73, 142, 161, and 162 in response to this comment.

Environmental Point D.44. (Fairmont Ridge site and quarry site location.) The Fairmont Specific Plan site and the quarry site are not in San Leandro. The RDEIR is wrong and should be corrected. Reference to the Fairmont Ridge site was eliminated from the San Leandro general plan. Regarding the discussion on RDEIR page 275, correct the confusion between Fairmont Ridge and the quarry. These are separate sites. (190.25, 190.27, 190.29, 190.30, 190.31, 190.46, 190.54)

Response. The RDEIR does not state that these sites are in San Leandro city limits; rather, it states that these sites are within the city's general plan designated "planning area," which was correct when this text was first written. The comment is acknowledged; however, reference to the Fairmont Ridge site has since been deleted from the city's general plan (March 1989). Related corrections and deletions have

been made to pages 142, 161, and 162 of the RDEIR in response to these comments. Regarding the discussion on page 275, no correction is necessary. The text here reads "the Fairmont Hills quarry site" which is correct. Both the Fairmont Ridge property and the quarry property are in the Fairmont Hills.

Environmental Point D.45. (Consistency with EBRPD policies.) The RDEIR states that the EBRPD has no adopted plans that include policies directly pertinent to consideration of the project. What does this mean? Does this apply to the EBRPD Master Plan, Measure AA acquisition, or other Park District Plans? The RDEIR should acknowledge the possibility that the site could be acquired by the EBRPD, given the wording of Measure AA and the Master Plan statement that all existing parklands may be expanded. Moreover, passage of Measure K brings the possibility of a joint Oakland-EBRPD acquisition. (190.35, 190.36)

Response. Comments acknowledged. In response to this comment, a description of this possibility has been added to RDEIR page 171.

Environmental Point D.46. (Land use policy consistency.) Mitigations which would cut the size of the project to about 300 units would bring the project into more conformance with City hillside development and resource protection policies. (78.8)

Response. The comment is generally consistent with the impacts and mitigation findings of the RDEIR.

Population, Housing, and Employment Impacts:

Environmental Point D.47. (Housing prices; affordability.) The project homes will be affordable only to households with annual incomes above \$70,000. The EIR authors state that they have purposely assumed a relatively low value in estimating the lowers priced townhouse to provide a conservative fiscal analysis. Such "lowballing" may be correct for the fiscal analysis (RDEIR page 145), but it is highly misleading to apply the same price assumption when evaluating project relationships to housing needs. High project development costs will translate into high selling prices. The comments estimate based on anecdotal research of similar panoramic view projects is that the lowers priced townhouse will sell for \$210,000 (1980 dollars). (78.1, 327.4)

Response. The RDEIR housing affordability discussion on pages 167-169 very clearly states that the analysis is based on the assumption that the project units "would be affordable only to above-moderate-income households"; i.e., the highest of the five ABAG housing needs income categories. The \$180,000 price figure referenced on RDEIR page 145 was not used to evaluate project relationships to housing needs. Please also see response to Environmental Point D.55.

Environmental Point D.48. (Housing prices; number of low-cost units.) The RDEIR is not clear on how many of these small, expensive units will be built. The RDEIR should also substantiate any expected housing cost estimate with review of comparable projects in the Oakland and Berkeley Hill areas. Even if the RDEIR housing cost numbers are accepted, almost all of the project homes would be affordable only to homes with relatively high incomes; i.e., "executive housing." Will "executive housing" contribute to Oakland's economic development? Oakland's supply of homes above the \$250,000 range is already very large. (78.2, 327.4)

Response. Please see response to Environmental Point C.5.

Environmental Point D.49. (Validity of "trickle down" analysis.) The "trickle-down" theory cited on RDEIR page 169 is so discredited as to hardly need further rebuttal. Despite the construction of over 300,000 homes in the Bay Area over the past decade, home prices have more than tripled. There isn't enough land close in to job centers for the housing supply to increase significantly to have any kind of "trickle-down" effect. The "trickle-down" theory has never been proven. The housing market is too segmented for such an effect to occur. The reference should be deleted from the RDEIR. The environmental costs outlined in the RDEIR outweigh the housing benefits. "There are no overriding considerations which could possibly outweigh the costs of the project." (78.3, 165.17, 327.1)

Response. If the project were approved conditioned upon incorporation and implementation of all mitigation measures recommended in the RDEIR, environmental costs to the community would be reduced to less than significant levels with the exception of those identified on RDEIR pages 532-534 involving unavoidable open space loss impacts, unavoidable access road visual impacts, unavoidable contribution

to regional wildlife range losses, unavoidable contributions to significant cumulative air quality impacts, and unavoidable construction period traffic and noise impacts. City of Oakland decision makers would be asked to weigh these environmental costs against the project contribution to local housing needs. The weight the RDEIR text gives to the "trickle-down" effect is appropriately small, and the RDEIR clearly states in the same sentence on RDEIR page 169 that "the project as currently described would not be expected to have a direct impact on meeting the very low, low, and moderate income needs categories in Table 8." (ABAG housing needs projections by income category.)

Environmental Point D.50. (Inclusionary housing as mitigation.) The project is inconsistent with the *Housing Element* which calls for housing consistent with the income characteristics of Oakland's population. The RDEIR should have recommended an inclusionary requirement as mitigation. (78.7)

Response. RDEIR pages 150 through 152 include a comprehensive overview of pertinent city housing policies, as set forth in the City's Oakland Policy Plan and *Housing Element*. There is no policy basis in the City's current, adopted *Housing Element* which requires that some portion of the Dunsmuir Heights project must be affordable to those of low and moderate income in order to achieve project consistency with the city's general plan.

Environmental Point D.51. (Consistency with new draft *Housing Element*.) The RDEIR does not analyze project conformance with any new *Housing Element*. If a new element is available in draft form, the RDEIR should have addressed project conformance with that draft. (78.9)

Response. It is City policy, and normal development review practice in California, that the project be evaluated for general plan consistency based on those general plan policies which were officially in effect when the project preliminary development plan application was accepted by the City as complete. Based on this standard policy, the project should not also be evaluated for consistency with any preliminary or evolving general plan policies which were not officially adopted and in effect at the time the

project PUD Permit and preliminary development plan application was accepted by the City (February 1989).

Environmental Point D.52. (Vacant land inventory.) The RDEIR housing analysis should indicate the degree to which other opportunities for housing development exist in Oakland. The study relies on a five-year old analysis of the City's vacant land supply. (RDEIR page 147.) This inventory is too old. The RDEIR should not whether the proposed project site is included in that inventory. (78.18, 165.12, 327.2)

Response. No more recent inventory of available vacant land in Oakland for housing development was available at the time of the RDEIR preparation. Nevertheless, the order of magnitude implications of the data remain applicable. The 1986 vacant land total of 1,500 acres included the 132-acre project site. The age of the data is disclosed in the RDEIR.

Environmental Point D.53. (Need for executive housing.) The RDEIR should document the need or lack of need for "executive housing" in Oakland. (78.19)

Response. The EIR is not intended to be a citywide housing needs analysis. Impacts on citywide socio-economic conditions and needs are not a required EIR topic under CEQA. The EIR focuses on physical environmental impacts. Project relationships to City housing needs policies are adequately addressed on RDEIR pages 147, 150, 151, and 152.

Environmental Point D.54. (Mid-level housing needs.) Commenter disagrees with RDEIR statement that project will have no direct impacts on mid-level housing needs. The figures are too close to call. The project will have a very important and significant effect on middle-class homeowners. (83.1)

Response. Comment noted. The RDEIR purposely conveys a conservative, "worst case" stance in this regard.

Environmental Point D.55. (Project housing sizes and selling prices.) No square footage is given for custom homes. Home sizes for the quarry site project in San Leandro range

from 2,472 to 3,259 square feet and prices would range from \$450,000 to \$650,000. In addition to the conservatively low prices given on RDEIR page 145 for the Dunsmuir project homes, a range of higher selling prices should be given. (165.11, 327.4)

Response. Please see response to related Environmental Point D.47. The housing price figures on RDEIR page 145 are described as "conservatively low to provide conservative fiscal impact analysis results..." In response to this comment, RDEIR page 145 has been revised to also include estimated higher end of the selling price potentials as well. The added figures do not change the RDEIR impact conclusions.

Environmental Point D.56. (Housing land inventory.) How far into the future could the current vacant land supply accommodate anticipated housing needs? Are there redevelopment areas in the City that could be added to the vacant land inventory to accommodate future growth? (165.13, 165.14)

Response. Completion of a comprehensive housing supply and demand analysis, including citywide projections of opportunities and needs into the future, is beyond the scope of this EIR. Presumably, the 1986 vacant land inventory included residentially-designated lands within City redevelopment area boundaries. (The Inventory included all large, vacant, undeveloped residential land remaining in the City at that time.) An evaluation of possible, reasonable alternate sites which could meet the "basic project objectives" (RDEIR page 84) is provided on RDEIR pages 515-527.

ABAG Projections 90 states on pages 90-91 with respect to residential growth that "The northern part of Alameda County [Alameda, Berkeley, Oakland] has the largest deficit. The shortfall is large enough to imply that every effort should be made by the northern cities to plan additional housing."

The alternative concept of providing the proposed 507 additional housing units in piecemeal fashion through a program of numerous infill and renovation projects throughout the city by one developer may be an interesting and compelling idea. However, such a program may not meet the "basic project guidelines." Moreover, the concept may not meet the legal test for a feasible alternative. The *Goleta* decision has determined that possible alternate sites may be found infeasible if a developer

does not own them. This finding (Goleta) came down after preparation of the Alternative Sites analysis in the December 27, 1990 RDEIR (*Citizens of Goleta Valley v. Santa Barbara County Board of Supervisors*, 91 Daily Journal D.A.R. 129; December 31, 1990).

Environmental Point D.57. (ABAG housing needs.) The summary on page 16 is inconsistent with the text on pages 169-170 regarding project share of ABAG-projected housing needs (12 vs. 5.7 percent). (167.6)

Response. The comment is incorrect. Please see response to Environmental Point B.3.

Environmental Point D.58. (Inadequate detail in the RDEIR housing analysis.) The housing needs discussion in the RDEIR lacks pertinent detail which, if used, would lead to a different conclusion regarding the need for the project. The type of housing offered in the project is in excess supply. The project is not responsive to all housing needs in Oakland. (205.10)

Response. Project responsiveness to identified housing needs in Oakland is adequately described on RDEIR pages 147 and 150 through 152.

Environmental Point D.59. (Cumulative housing-jobs balance impacts.) The RDEIR fails to account for cumulative effects on the jobs-housing balance by other anticipated housing projects such as the Roberts Landing, Marina High School, and Del Monte property development possibilities. (205.12)

Response. Because the project is a residential development program and would provide no significant new permanent jobs onsite, its employment impacts have been considered insignificant, and have not been evaluated in the RDEIR. With respect to the subregional balance between housing and jobs, ABAG Projections 90 states that more housing is needed in northern Alameda County to counterbalance job growth rather than vice versa. Construction jobs such as those that would be provided by the various residential development possibilities mentioned in this comment will not necessarily be Oakland-area jobs. Construction employment typically involves multiple

job locations, and for that reason is not considered an important factor in establishing a subregional housing-jobs balance.

Environmental Point D.60. (Cumulative OCP inconsistencies.) The RDEIR lists 18 elements [sic] of the OCP that would be violated by the project. The project is essentially abrogating portions of the OCP. In that light, the RDEIR should address the probable cumulative citywide impacts of such policy changes or clearly explain why no policy changes are involved. That it does neither renders the RDEIR inadequate. (199.1)

Response. The RDEIR lists project relationships to pertinent OCP policies and, as the comment suggests, identifies apparent and potential project inconsistencies with these policies. However, the comment does not acknowledge that the RDEIR also identifies project revisions that would be necessary to achieve consistency with various individual policies, and refers in section IV.A.3 to impact mitigation measures identified in other sections of the RDEIR whose implementation would improve or achieve project consistency with each particular individual policy.

The many policies in a general plan suggest the plan direction. Individual policies in general plans typically must be balanced against sometimes competing goals. No general plan policy or measure is absolute. In determining general plan consistency, individual policies should not be judged in a vacuum, but rather must be interpreted in conjunction with all other aspects of the plan.

Approval of a project which may include certain aspects which are inconsistent with certain individual OCP policies does not result in a general, precedent-setting, citywide abrogation of that particular OCP policy. Presumably, if the City approves a project which is inconsistent with certain individual general plan policies, the City is basing that approval on the position that the project as a whole is consistent with the plan direction.

In any event, the RDEIR identifies those mitigation measures which must be implemented to improve or achieve project consistency with the OCP. If these measures are effectively implemented, the project would be made consistent with the plan direction.

Environmental Point D.61. (Employment impacts.) Most of the hill residents work and shop in San Leandro and other areas of Alameda County, not Oakland. The argument on RDEIR page 142 for this project providing Oakland with an employment base is unfounded. (98.38)

Response. RDEIR page 142 does not suggest that the project will provide Oakland with a strong employment base.

E. COMMENTS ON RDEIR SECTION IV.B: VISUAL FACTORS

Environmental Point E.1. (Renderings offered of access road alternatives.) We had a licensed landscape architect draw renderings of the various project access road alternatives. The existing setting is shown..."spectacular!" The proposed split access road, split access road with crib-walls, single access road without crib walls, and single access road with crib walls alternatives are shown. Huge cuts, devastation, disaster. (212.0)

Response. The renderings provided do not represent objective depictions, do not represent normally accepted professional rendering standards, and inaccurately depict the nature and appearance of the project cut and fill areas. All depict a "bird's eye" view from an elevation of approximately 3,000 to 5,000 feet above and west of the project site. The vantage points of concern are those from ground level, as depicted in the RDEIR.

The RDEIR does not understate the visual impacts of the project. The vantage points which were selected for the visual simulations represent selected locations from which the project would be most prominent and which significant numbers of people would frequent. The RDEIR photomontage simulations show building shape and mass only. No fenestration, color, or landscaping is shown. As a result, the simulations represent conservative, "worst case" depictions of the project's potential visual impacts.

Environmental Point E.2. (Site environs and regional importance.) The RDEIR should also say on page 173 that the south Oakland Hills form a distinct visual backdrop for Lake Chabot and Anthony Chabot Regional Park. The importance of Dunsmuir Ridge as a regional asset should be mentioned on RDEIR page 173, as viewed from both [sic] the regional park and from Oakland and San Leandro. Passage of Measure K should also be mentioned in the introductory paragraph and elsewhere as an effective means of mitigating project visual impacts. (93.1, 93.2, 93.3, 93.46)

Response. Although paragraph one of page 173 already mentions views for Lake Chabot Regional Park, additional words to this effect have been added in response to this comment. The passage of Measure K is described earlier in the RDEIR on page 126, and in other sections of the RDEIR. Use of Measure K (city open space

acquisition initiative) to acquire the project site as permanent open space does not represent a legitimate measure for mitigating visual impacts of the project under CEQA. Obviously, elimination of the project would be the most effective means of eliminating all related impacts identified in the RDEIR.

CEQA section 15126(c) states that the measures shall reasonably be expected to reduce adverse impacts "if required as conditions of approving the project." Acquisition of the property may be an important project alternative for consideration by the City (see revised RDEIR page 503 in section II of this Final EIR document), but is not a legitimate project mitigation measure. CEQA section 15092(c) states that "With respect to a project which includes housing development, the public agency shall not reduce the proposed number of housing units as a mitigation measure if it determines that there is another feasible specific mitigation measure available that will provide a comparable level of mitigation." In light of these CEQA provisions, the Visual Factors section of the Dunsmuir Heights project RDEIR concentrates on identification of measures which might be incorporated into the project to reduce visual impacts, while still achieving the basic project objectives to the extent possible.

Environmental Point E.3. (Methodology for determining visual impacts.) The photographs used to determine the boundary of the high visual vulnerability area should be included in the RDEIR for evaluation by the public. Were the areas so defined based on existing topography and visibility, proposed grading, tree removal, and building? Some multiple story buildings may be highly visible if areas of vulnerable visual impacts are defined based on topography. Please explain the methodology used and why. (93.8, 93.9)

Response. Photographs representative of those used to help determine visual impact vulnerability are included on RDEIR pages 178-180. Associated viewpoints are mapped on Figures 26 and 27. The informational benefit gained from providing all working photographs and field mapping for review by the public would be questionable, and in the opinion of the EIR consultants and City staff, would not warrant related difficulties and costs. As explained in the RDEIR on page 174, the areas identified as highly vulnerable to visual impact on Figure 25 were determined based primarily on topography. The related visual impact findings depicted on Figure 28 and described on RDEIR pages 182-200 took into account the proposed grading plan (depth of cut

and fill as indicated on Figure 58) and the proposed project building heights. In particular, the visual impact photomontage simulations on Figures 29, 30, 31, and 32 were developed to depict all of these factors, including in particular, grading, tree removal, and building height and form.

Environmental Point E.4. (Visual impacts on Chabot Regional Park and Fairmont Ridge.)

Does the area of high visual vulnerability include areas visible from trails in Lake Chabot Regional Park, or from the Fairmont Ridge property? Does it include various group camping areas in the park? (93.10, 93.11, 190.37)

Response. The area of "high visual vulnerability" indicates those areas of the site which are visible from the most heavily used portions of Lake Chabot Regional Park, including the marina area and the East Shore Trail. The project central ridgeline shown as subareas B and C on Figure 28 would be visible from the Lake Chabot environs, primarily from the northwest-to-southeast visual corridor between the site ridgeline and the East Shore Trail area of the park. Also due to the park and project site topography, mitigation of project impacts on these most critical Lake Chabot viewpoints in the manner recommended on RDEIR page 204 will also mitigate project impacts on any views of the project ridge from other park areas to insignificant levels, including other park trail and activity areas such as the Columbine Trail, Honker Bay Trail, Two Rocks Trail, and various camping areas.

Views from the Fairmont Ridge property were not included in the RDEIR analysis of project visual impacts on Lake Chabot and Chabot Regional Park. Fairmont Ridge was not a public open space area or part of the park at the time of the RDEIR preparation, although negotiations were underway between Alameda County and EBMUD regarding EBMUD acquisition of the property as permanent open space. The Fairmont Ridge property, unlike the southern areas of Chabot Regional Park which contain exclusively open space views, already has panoramic views of existing urbanization to the northwest, west, and south. In this context, the added Fairmont Ridge views of the project would not constitute a significant adverse impact on views from that property.

Environmental Point E.5. (Figure 26 arrow incorrect.) The easterly arrow at viewpoint 3 should be shown in a more northerly direction, down Cranford Way. (167.31)

Response. Comment acknowledged. Figure 26 has been revised to correct this arrow direction.

Environmental Point E.6. (Neighborhood vantage points.) On RDEIR page 174, what is meant by neighborhood viewpoints in greater Oakland or San Leandro? Please explain. Would structures in the areas be visible from BART for example? (93.13)

Response. Areas identified on Figure 25 as "of limited visual impact vulnerability are not visible from the freeway, other major local routes, or neighborhood vantage points in greater Oakland or San Leandro," meaning neighborhoods other than those identified in the first part of the paragraph; i.e., Chabot Park Highlands.

Environmental Point E.7. (Photomontage simulations too light.) The visual impact simulations are drawn very lightly. This tends to minimize their visual impact. Figure 29 is especially deficient. (93.17, 93.22)

Response. The line value used on Figures 29, 30, 31, and 32, in combination with the building form shading were carefully selected to best depict the character of development in the context of the photograph. The simulations are appropriate and useful, and do not downplay the impact of the project. On the contrary, the simulations should be considered as conservative, worst case depictions, since they show only basic building massing, road alignments, related grading, and tree removal impacts. They do not show introduced landscaping, architectural details, and color, which are project elements that could substantially soften the degree of evident visual impact. Also, the RDEIR concludes on pages 185, 193, 194, 197, 198, 199, and 200, based largely on the photomontage visual simulations, that the project will have significant adverse visual impacts on views from I-580, Sheffield Village, the Bancroft Avenue/Dutton area of San Leandro southwest of I-580, the Bay-O-Vista neighborhood in San Leandro, and Anthony Chabot Regional Park.

Environmental Point E.8. (Color photos.) The RDEIR should include color photos of the existing Dunsmuir Ridge area and a color project simulation. The black and white photo in the RDEIR is insufficient. (93.33)

Response. The black and white photo simulations provide an adequate depiction of the various selected before and after views. Use of color photos would not change the RDEIR impact and mitigation findings in any way.

Environmental Point E.9. (Fairness of simulations.) It has been noted in the RDEIR that project sponsor-proposed landscaping and tree planting efforts are not indicated in the simulations (RDEIR pages 186-191). This hardly offers a fair representation. (58.1, 167.35)

Response. Please see response to Environmental Point E.7. The simulations are intentionally conservative. Introduced landscaping would take time to mature and develop its anticipated screening effect. With respect to identified adverse visual impacts, the RDEIR notes that although these impacts "would be expected to decrease substantially as introduced vegetation matured to achieve its intended screening effect, the vegetative screening would not be expected to reduce project impacts...to less than significant levels."

Environmental Point E.10. (Chabot Park Highlands visual impacts.) The area described on page 197 as "highly vulnerable to visual impact" should be expanded to include the northern parts of subarea D. The commenter disagrees with the finding that the project visual impact on Chabot Park Highlands is less than significant. There are significant visual impacts on Chabot Park Highlands, and mitigation is definitely required. Views of five to six stories on the hillside with no room for intervening vegetation will be very obtrusive. Also the street lighting needs mitigation. The RDEIR should mandate a reduction, not an increase, in housing on the northern segment of subarea D. Many of the commenters would view the houses on the north side of subarea D. Mitigation measures should be required for those houses. They should not be positioned on the edge. The RDEIR's higher mitigation rankings should include mitigation measures to eliminate ridgeline housing on the northwest side of the project. The RDEIR indicates that only ten houses on the north side will view the project. This is incorrect. There are many times the ten, indicating that the view to the north side needs severe mitigation. The three-to-four story rear sides

of the townhouses and eight-plexes in a row will be very unsightly. In particular, homes on Lochard, Turner, Greenbriar, Bemis, Cliffland, Cameron, and Kerrigan or Overmoor will see the project. The view towards the northwest side is extremely objectionable, and additional units should not be shifted to that area; rather, the number of units here should be reduced. Homes should be sited off the ridgeline here. Chabot Park Highlands residents object to the massive rear elevations on the northwest side of the north, central, and west subareas, which will be highly visible. These units should be relocated or eliminated. Landscaping won't mitigate their offensive appearance. (13.1, 14.2, 93.27, 98.4, 98.5, 98.25, 98.29, 98.42, 98.44, 98.45, 98.46, 98.47, 98.64, 134.1, 134.2, 187.6, 304.1, 304.2, 304.3, 304.6, 320.3, 338.3, 347.3)

Response. In response to these comments, the RDEIR impact and mitigation findings on RDEIR pages 193 and 201 regarding Chabot Park Highlands view have been reconsidered, and a mitigation measure has been added calling for confinement of the proposed higher mass six- and eight-unit townhouse structures to locations which are not prominently visible from Chabot Park Highlands viewpoints, and for substantial vegetative screening (native tree cover, "interplanted" with faster-growing screening species) around the northwest periphery of the North, Central, and Southern subareas.

The RDEIR has made it clear on pages 201 and 202 that the opportunity to shift project units to subarea D is limited, and suggests that the number of units in subarea D should be increased by no more than 10 percent. The added mitigation measure regarding avoidance of prominently visible high mass structures and calling for special emphasis on peripheral landscaping would reduce the impacts of a 10 percent area D density increase to less than significant levels.

Environmental Point E.11. ("Cluster" characterization and effects.) Figures 29, 30, 31, and 32 appear to show lines or rows of houses running across the ridgetop. How do these visual impacts qualify on RDEIR page 197 as "clustering" rather than rows? Also please explain how open space is saved by "clustering"? (93.38, 93.41)

Response. The project site plan shown on Figure 7, page 87, of the RDEIR represents a residential layout typically described as "clustered," meaning that through application of the PUD concept, internal transfers of densities are made to concentrate

development on the more level, upland portions of the site, to create large open space areas and to reduce development in the wooded side canyons. The word "cluster" does not exclude rows of units. Through the PUD process, clustering preserves open space by concentrating the overall zoning capacity of the site into reduced development areas, and establishing the remaining areas as permanent open space. This is a basic intent of the PUD process.

Environmental Point E.12. (Design relationship to site.) The RDEIR does not adequately address the poor design of this project for the geographic area. (187.1)

Response. The relationship of the project design to the topographic, geologic, seismic, open space, visual, and biotic conditions of the project site are a principal focus of the RDEIR and are thoroughly and adequately discussed throughout the report, particularly in sections IV.A.1.b, IV.A.1.c, IV.A.3.a, IV.A.3.e, IV.B.2, IV.B.3, IV.D.2, IV.D.3, IV.D.4, IV.E.2, IV.E.3, IV.H.2, and IV.H.3.

Environmental Point E.13. (Bancroft/Dutton view.) The Bancroft/Dutton view shown on page 186 (Figure 29) is cluttered with large, distracting, and non-typical objects (school bus, two cars, in foreground). The choice of this view is not representative of how the visual impact would be for most people who live west of I-580. The open space of grassy and oak hillside is much greater than pictured on RDEIR page 186. The verbal description on RDEIR page 3 of "significant adverse environmental impacts" is correctly used. Yet the Summary on Page 17 says only "S = Significant"; revise the summary to include the same "adverse" description. (170.1, 340.1)

Response. The Figure 29 photograph was selected as a viewpoint which is highly indicative of project visual impacts on this area of San Leandro, and as a Dutton Avenue viewpoint highly familiar to many San Leandro residents. The vehicles on Dutton provide reasonable context for the impact simulation. The simulation does not downplay the impact of the project. Please see response to Environmental Point E.7. In any event, as the commenter notes, the RDEIR finds that the visual impact on views from this area is significant, and that mitigation is warranted.

Regarding the terms "adverse significant impact" vs. "significant impact," the terms are used interchangeably in the RDEIR and are synonymous. Please see response to Environmental Point B.3.

Environmental Point E.14. (Figure 29 title.) The Figure 29 title should be "Before and After View from the Vicinity of the MacArthur Boulevard/Dutton Avenue Area," rather than the "Bancroft Avenue/Dutton Avenue Area." (167.36)

Response. Both titles would be considered correct. Although the viewpoint location may be chosen to MacArthur than Bancroft, the view is also representative of the view closer to Bancroft. The purpose of the title is to convey that the simulation is representative of the views from the broader Bancroft/Dutton area, rather than just the more localized MacArthur/Dutton area.

Environmental Point E.15. (Lake Chabot visual impacts.) The RDEIR correctly points out that the proposed development in subareas B and C would represent a conspicuous introduction of urban development in an otherwise pristine natural skyline. Why didn't the RDEIR provide a visual simulation to illustrate this point. Please do so. (93.42)

Response. The photograph on Figure 33 adequately conveyed the vulnerability of this viewpoint to visual impact, and that, within the limits and scale of this 11" x 17" figure, it would be difficult and of questionable usefulness to attempt to superimpose a rendering of the project. Such rendering is not necessary for the completion of an adequate impact analysis, and would not have changed the RDEIR impact conclusions and mitigation recommendations in any way.

Environmental Point E.16. (Light and glare impacts on Lake Chabot.) No mention is made in the introduction of the impacts of lighting and glare on Lake Chabot and Anthony Chabot Regional Park. The RDEIR should include a simulation of evening light and glare impacts on Lake Chabot and the regional park. The summary should include light and glare impacts on Lake Chabot. The statement on page 23 should be more explicit with regard to what those vantage points are. (93.4, 93.12, 93.32, 93.34, 93.43, 93.61, 190.8, 190.12)

Response. The summary section is not the appropriate section to begin discussion of specific project visual impacts. Project impacts on views from Lake Chabot, and related project light and glare impacts, are adequately described under VISUAL IMPACTS, on pages 194, 195, 198, and 199. Including an "evening simulation" would not change the RDEIR impact and mitigation findings; i.e., that use of excessively high or bright street luminaires could result in a significant evening visual impact, as would evening tennis court lighting in the project's Central Subarea, and as a result, that street and tennis court lighting limitations described on RDEIR pages 207 and 208 should be incorporated into the project. These findings are included in the RDEIR summary on pages 22 and 23. The summary impact and mitigation language is believed by the EIR authors to be explicit enough for summary purposes. The main text, as cited above, is more explicit. Incorporation of the mitigations as described on pages 204, 207, and 208 of the RDEIR (avoidance of development in subareas B and C; lighting limitations in other areas) would be expected to reduce related light and glare impacts on Lake Chabot to insignificant levels.

Environmental Point E.17. (Golf course visibility.) Is the RDEIR on page 182 correct in stating that "the golf course will not be visible beyond these hill forms"? Aren't there areas in the southeast portion of the project that would have views from the park? (93.16)

Response. Comment acknowledged. Portions of the golf course can be seen from internal viewpoints along the southeastern edge of the project site. The parenthetical note referred to in this comment on RDEIR page 182 has been removed in response. Other sections of the RDEIR recognize this visual factor and recommend construction of a masonry wall or comparable barrier along the edge to separate the golf course fairways here from the project.

Environmental Point E.18. (Single-roadway design alternative.) A simulation of the view of the project as depicted on Figure 30 should also be done for the proposed single road with crib walls. Is the single road with crib walls alternative a mitigation or another project with respect to visual impacts? (93.23, 93.59)

Response. It was considered beyond the necessary scope of an adequate EIR to prepare photomontage simulations of the various recommended mitigation measures as

well as the project as proposed. Based on examination of the proposed dual access road alignment and its visual impacts as illustrated in Figure 30, it is clear that a single access road alignment at a slightly lower elevation along the hill would result in a reduced visual impact. That consideration, in combination with the anticipated grading and tree loss reductions, led to the single-road-with-crib-walls recommendation.

The single roadway with crib wall recommendation is presented in the RDEIR as both a mitigation (in section IV.B.3) and an alternative (in section VI, see alternatives C, D, and F). The visual impact reduction effects of the single roadway with crib wall recommendation are described in these sections. CEQA Guidelines state that the effects of a mitigation measure or an alternative should be discussed, but in less detail than the effects of the project as proposed [Section 15126(c) and (d)].

Environmental Point E.19. (Retaining walls.) Regarding RDEIR page 193, portions of the retaining walls will have a significant impact on neighbors who find these walls in their back yards. Will the vegetation that is hiding these walls remain after construction of the road? (93.25)

Response. The RDEIR does not indicate that vegetation would hide these walls. Rather, the RDEIR indicates that these walls would be visible through existing trees from various neighborhood vantage points in Sheffield Village. Most of these trees between Sheffield Village viewpoints and the proposed three retaining walls are well below the road and outside the southwestern boundary of the project site, and would not be affected by the proposed roadway construction.

Environmental Point E.20. (I-580 scenic corridor status.) The project is located along a state and City designated scenic highway, I-580. RDEIR page 209 should be reworded to state that the project would eliminate one of the last remaining open space areas along the route. Why wasn't a visual simulation from the freeway done? (93.14, 93.21, 93.66, 98.21)

Response. Section (2) on RDEIR page 209 is correct and adequate as written. The scenic highway designation runs from Foothill Boulevard to Highway 24, and does not pass the site. Nevertheless, as adequately stated on page 209, the project site would be visible from the southernmost end of this highway segment, and "the project would

substantially transform a large area of the existing open space that is visible from I-580." The text goes on here to adequately characterize the degree of visual impact and to describe associated relationships with the *Scenic Highways* section of the Oakland Policy Plan.

A photomontage simulation of the project view from the freeway was not done because it is believed that the simulation on Figure 29, in combination with the text on pages 185, 209, and 210, adequately describe this visual impact. It would be beyond the bounds of a reasonable EIR scope to prepare photomontage simulations of all viewpoints affected by this project. Instead, the EIR authors selected a limited number of views for simulation which were considered most indicative of the project's overall visual impacts on surrounding viewpoints. In this manner, the RDEIR provides a clear, reasonable, and adequate description of potential project visual impacts on I-580 and on the numerous other surrounding vantage points.

Environmental Point E.21. (Lake Chabot view.) Project impacts on views from Lake Chabot are overstated. The project will be so far from Lake Chabot that the homes will appear as dots in the distance. The water tank on the ridge above the homesites is high, yet it cannot be seen in the photos from the lake. How far away from the homesites is this viewpoint? (58.2, 256.1)

Response. The project impact on the lake is defined as significant because, even though the project will be a considerable distance away (approximately 0.9 miles from the Figure 33 viewpoint), and only portions of those homes within subareas B and C on Figure 28 will be seen, the fact that the panoramic view from this viewpoint is currently free of other urbanization has led to the conclusion that, in this "pristine" visual context, the project visual impacts would be significant.

Environmental Point E.22. (Visible portion of Lake Chabot.) The RDEIR should include a map showing what portions of Lake Chabot and the park will be visible from the proposed project. (93.45)

Response. The visual impact issue is what portions of the project are visible from Lake Chabot viewpoints. Figure 28 shows which portions of the proposed project

would be visible from the Lake Chabot environs. Perhaps this is what the question addresses; i.e., the idea that a map that shows all areas of Lake Chabot visible from the project will also indicate which areas of Lake Chabot have views of the project. Although such a map may represent helpful additional information, it would not change the impact conclusions and mitigation recommendations in the RDEIR regarding project impacts on the Lake Chabot view; i.e., that project development within subareas B and C on Figure 28 will have significant impacts on views from Chabot Regional Park, and will warrant mitigation.

Environmental Point E.23. (Views from Lake Chabot.) RDEIR page 194 should have also included the importance of views from Lake Chabot to the residents of Oakland. (93.29)

Response. The RDEIR on this page adequately describes the importance of these Lake Chabot views "to park users," a category that includes residents of Oakland.

Environmental Point E.24. (Cumulative visual and light and glare impacts on views from Lake Chabot.) On RDEIR page 208, the cumulative visual and light and glare impacts of the three projects proposed around Lake Chabot should be addressed. (93.44, 93.64, 94.1, 95.2, 190.14)

Response. Discussion of the cumulative visual impacts of the Dunsmuir project, the quarry project, and the Fairmont Ridge project, on views from Lake Chabot has been added to RDEIR page 200 in response to this point. In addition, RDEIR page 208 has been revised to state that measures recommended in the RDEIR to mitigate project visual impacts on Lake Chabot to insignificant levels will also mitigate project contributions to these cumulative impacts to less than significant levels.

Environmental Point E.25. (Views from Castro Valley.) The statement on RDEIR page 197 that no other Castro Valley neighborhood vantage points would be subject to moderate or significant visual impacts as a result of the project should be supported. (93.35)

Response. The statement is based on a detailed driving survey of north Castro Valley neighborhoods.

Environmental Point E.26. (Views from Lake Chabot Road.) The project will be highly visible from Lake Chabot Road, which is a designated scenic route by Alameda County and the City of San Leandro. The RDEIR has failed to note the impacts on the county and City of San Leandro scenic view corridors. (93.68)

Response. Project impacts on views from Lake Chabot Road were evaluated in the field. (The project would not be highly visible from Lake Chabot Road.) The RDEIR on page 194 (bottom paragraph) and 197 (top paragraph) explains that residential clusters in project visual subareas B and C would be visible from occasional points along Lake Chabot Road, but given the limited nature of these views, this particular project impact would be less than significant.

Environmental Point E.27. (Views from Castro Valley.) The RDEIR on page 177 should indicate that the selected Castro Valley viewpoints are 4,600 feet (viewpoint #8) and 6,000 feet (viewpoint #9) from the site. (167.32)

Response. These distance figures have been verified and added to page 182 of the RDEIR.

Environmental Point E.28. (Visual impacts of grading.) The RDEIR states that development will occur over a six-year period, with excavation done first. This means that a majority of the area to be developed for housing will remain denuded, without landscaping, for up to six years, with associated visual, dust, and erosion impacts. (134.3, 134.4)

Response. The comment is inaccurate. The RDEIR does state that rough grading for the entire site, including grading required for retaining walls, all road subgrades, building pads, detention ponds, etc. would occur in the first 18 months of construction (RDEIR page 108). However, the RDEIR also adequately recognizes the potential impacts cited in this comment. These construction period grading impacts and associated mitigation measures are described on RDEIR pages 308, 329, 332, and especially 333.

Environmental Point E.29. (Visual impacts of grading.) Regarding RDEIR page 298, paragraph 5, what is the visual impact of the drainage terraces on the surrounding area? The roadway will be blasted out of bedrock. How effective will planting be to mitigate the visual impacts of the drainage terraces? Will they be visible to Sheffield Village or the surrounding region? What will be the visual impacts of the "excessive cutting" required to implement the mitigation measures recommended on RDEIR pages 311-312? (192.26, 192.34)

Response. The commenter is apparently referring to the explanation on RDEIR page 298 that, despite the project architect's stated intent to provide "smooth, natural-appearing surface curvatures" rather than terracing in the project grading plan, PRA is recommending six-foot-wide drainage terraces at 25-foot intervals on the primary access road fill slope overlooking the Sheffield Village subdivision. "Due to the height of the graded slopes, up to seven terrace levels in this one fill area will be necessary."

These terraces would be visible in at least one of the fill areas above Sheffield Village. Although the project landscape plan stipulated revegetation would soften the visual impacts of these terraces, they would nevertheless remain visible from various viewpoints within the Sheffield Village neighborhood, from segments of I-580 between the Foothill Boulevard/106th Avenue/I-580 interchange north of the site and the Grand Avenue/I-580 overcrossing south of the site, and from a limited number of San Leandro vantage points west of I-580. Measures to mitigate these visual impacts are described on RDEIR pages 205 and 206. These measures would reduce these impacts, but not to insignificant levels. However, the alternative roadway design recommended on pages 206 and 207 would reduce or eliminate the need for drainage terracing.

Blasting is not proposed to construct the hillside access road. Regarding the engineering measures recommended on RDEIR pages 311 and 312 to mitigate the identified cut-and-fill-slope impacts (excavation, buttress fills, etc.) finished slope steepness limitations called for in the RDEIR on these pages, in combination with the associated visual impact reduction measures recommended on pages 205 and 206 (natural-appearing slope gradients, natural appearing landscaping) would mitigate the long-term visual impacts of these cut-and-fill-slope engineering measures.

Environmental Point E.30. (Visual impacts on the Dunsmuir House.) The traffic on the proposed project access road will have a negative visual impact on the Dunsmuir House carriage house, dairy barn, southern shed, and horse stables areas. A sound wall should be provided along the south property line where the access road parallels the Dunsmuir property and dense evergreen planting should be provided along the Dunsmuir side of the wall. The dual roadway alternative as proposed by the applicant would be far less desirable than the single roadway alternative. The single roadway appears to minimize the need for acoustic and visual mitigation measures. The single roadway alternative would also reduce the degree of tree removal, especially the cribwall and bridge single roadway alternatives, which would also reduce visual damage to the hillside from Dunsmuir. (181.1, 181.2, 181.3, 181.4)

Response. Comment noted. Traffic noise along the lower reaches of the access road will have less of an impact on the Dunsmuir House and Gardens than on the abutting rear yards of Marlow Drive homes on the opposite side of the proposed route. Thus, a noise wall on the Dunsmuir House side of the proposed project access road is not recommended.

Environmental Point E.31. (Visual impacts on Dunsmuir House.) What will the visual impact of the proposed Dunsmuir House and Gardens modifications be on the Dunsmuir House? (228.64)

Response. These proposed modifications would not be expected to result in a significant adverse visual impact on the Dunsmuir House and Gardens. Such modifications will not proceed until they have been fully reviewed and approved by the Dunsmuir House Board of Directors, Oakland Parks and Recreation Advisory Commission, Landmarks Preservation Advisory Board, the Planning Commission, and the City Council. The modifications are also not essential to the project, and could be eliminated if not desired by the City.

Environmental Point E.32. (Cumulative visual impacts on the park.) A map showing which areas and park trails would be affected by each of three proposed developments on

the ridges around the lake would be helpful to policy makers in understanding the importance of protecting the park from urban intrusion. (190.38)

Response. The purpose of the Dunsmuir project EIR is to address the environmental consequences of that particular subdivision proposal. The EIR includes an adequate description of project impacts on Lake Chabot views and on the project contribution to the potential cumulative visual impacts on the lake, should all three projects proceed. The suggested maps would be a useful piece of information for policy makers, but are considered to be beyond the scope of a reasonable cumulative impacts analysis, and would not change the impact and mitigation conclusions now included in the RDEIR. Please also see responses to related Environmental Point E.24.

Environmental Point E.33. (Distant urban vantage points.) The RDEIR on page 197 "is backwards." The visual impact on one of the few remaining ridge lines will be quite apparent. Now the site provides a visual buffer. (93.36)

Response. Comment noted. Based on field evaluation, the project would be seen as an extension of existing ridgeline development, including the Skyline/Chabot Park Highlands ridgeline development north of the site, from distant urban vantage points to the west near I-580 and BART. The measures recommended in the RDEIR to mitigate the identified significant impacts of the project on views from I-580, Sheffield Village, and the Dutton/Bancroft area of San Leandro would also serve to mitigate project impacts on the more distant urban vantage points to the west.

Environmental Point E.34. (Landscape screening.) While it is stated on RDEIR page 183 that landscaping would soften the degree of visual impact, the RDEIR should also point out that where landscaping obstructs project homeowner views, the offending trees will likely be trimmed or removed. The softening suggested by the RDEIR is directly contradicted later in the same paragraph that the desire of project homeowner to protect their views can be expected to limit the degree and effectiveness of the vegetative screening. (93.18, 93.19, 93.24, 93.26, 93.28, 93.31, 93.47, 98.50, 190.6, 320.2)

Response. The comment reiterates the point that the RDEIR intends to make; i.e., that the proposed landscape screening mitigations may be in conflict with individual

homeowners desires to take advantage of the site's panoramic views. The RDEIR points out this potential conflict, and then recommends a mitigation response to this particular conflict on RDEIR page 203.

Environmental Point E.35. (Landscaping and fuel management.) "Wagstaff should not be placed in the position of having to propose measures that appear to conflict, such as vegetation to reduce visual impacts and fuel management to control wildfire. The DEIR should focus on tradeoffs, not excuses." (199.3)

Response. The measures calling for introduced landscaping in the project development areas and the measures calling for vegetative fuel management throughout the property are not in conflict, and both types of measures have been routinely implemented in a compatible manner in numerous other development programs.

Environmental Point E.36. (Effectiveness of landscape screening.) Landscape screening will be ineffective, will interfere with views from the project units, and will take years to mature. RDEIR page 203 makes an assertion about the effectiveness of landscape screening in other projects. The assertion should be supported with evidence or should be dropped. To use landscaping as an argument for mitigating ridgeline development is totally improper. The unsightly view towards the ridgeline remains. Landscaping will not mitigate that conclusion. (93.49, 98.43, 272.9, 272.10, 320.2)

Response. The RDEIR states that landscaping will help, but will not reduce identified project visual impacts to insignificant levels. See RDEIR page 205 (2e). The RDEIR describes other measures, in addition to landscaping, which will be necessary in order to mitigate project impacts to less than significant levels.

Environmental Point E.37. (Use of native plants for drought resistance questioned.) Regarding RDEIR page 434, paragraph (1.3) and (1.4), native plants require equal water to that of other species to get established. Planting enveloped in wire mesh at the project entry may be unsightly. (118.6)

Response. The reference in the cited paragraph is to "native, drought-resistant" plants. There are numerous available species which fall into this category which can thrive on the site and will require less water over the long term. EBMUD maintains and circulates a list of such "native, drought-resistant" plants to encourage their use in new development within their service area. A more comprehensive list is included in RDEIR Appendix F (Labadie). Most landscaping programs of substantial scale include temporary post-planting period measures to protect new seedlings against damage. There is no RDEIR proposal to envelope new plants at the project entry in wire mesh.

Environmental Point E.38. (Plant survival.) The Final EIR should also indicate what the visual impact on the surrounding area would be if the water had to be cut off and the proposed landscaping allowed to die. (189.12)

Response. The comment presents an unlikely scenario that would have similar impacts on all urban areas in the affected service area. The project site would be expected to fare as well or better than other urban areas under this scenario, given the proposed emphasis on drought-tolerant species in the landscaping program.

Environmental Point E.39. (White alder.) Regarding RDEIR page 183, how is use of white alder, a non-native and high water user, consistent with city planning guidelines? Does white alder enhance wildlife value? (93.20)

Response. The white alder is not an unusually high water user; other species such as the box elder require considerably more irrigation than the white alder. Please see response to Environmental Point E.40 below. Also, RDEIR page 183 does not suggest that a white alder will enhance wildlife value.

Environmental Point E.40. (Tree species characteristics.) The applicant's landscape architect has suggested an RDEIR sentence for page 185 detailing the types of fast-growing species that could be incorporated into the planting program to achieve a fast-growing screening effect with low water use and compatibility with the existing oak woodland. (167.34)

Response. Comment acknowledged. RDEIR page 185 has been revised to include the following additional pertinent information from the project landscape architect:
"Italian Alders and European Huckberries are examples of fast-growing trees that have a low water requirement and will exhibit an informal appearance that will be in character with the natural existing Oak woodland."

Environmental Point E.41. (Need for a landscape plan.) A detailed landscape plan must be submitted with the RDEIR, including proposed plant material, planting specifications, and details. A detailed irrigation plan and specifications should also be included. How can one fully evaluate the visual impacts of the project with no prepared landscape plan? What size and age of trees are proposed for planting. (118.1, 154.34, 165.6, 223.5, 223.8, 300.1)

Response. Similar to other city and county procedures, under City of Oakland procedures, the EIR is prepared on the Preliminary Development Plan, and is then certified and used by City decision-makers in considering the Preliminary Development Plan, setting any conditions of approval, and considering subsequent project review phases.

Detailed landscape construction specifications are not required by the City with the Preliminary Development Plan Application. Preliminary landscape plan concepts have been described by the applicant's landscape architect to the degree of specificity necessary to evaluate the potential visual impacts of the project. Under City development review procedures, more detailed, specification-level construction drawings and specifications for project landscape improvements and other construction are prepared after certification of the EIR and approval of the Preliminary Development Plan, when the specific basic design characteristics of the project are established through conditions of approval. Typically, design details of this level of specificity are included with the Final Map. Please see response to similar Environmental Point G.97.

Environmental Point E.42. (EBMUD consultation.) Because of the size of the project, it is especially important that the project sponsor consult with EBMUD staff early in the development of landscaping plans. EBMUD should be consulted regarding the use of water

conserving plans throughout the project, not just the areas subject to conservation. (157.1, 157.2)

Response. Comment acknowledged. Such EBMUD consultation has already been recommended on RDEIR page 378[c(2)].

Environmental Point E.43. (Adequacy of landscaping plan; need for model; alternative access.) There are cuts in the Dunsmuir slope above the Sheffield subdivision which have been scarred for 50 years, casting doubt on the ability to conceal the project grading with vegetation within the next 50 years. The poor chances of landscape screening should be addressed more accurately in the summary. The developer should include a minimum of two examples of similar projects demonstrating successful mitigation with landscaping, or a more detailed landscape plan should be prepared and reviewed by two independent landscape architects hired by the city. A before and after three-dimensional model of the proposed development would also be helpful. Perhaps the proposed project cannot be mitigated and should be redesigned without a single access coming up the hill; instead, access could be via Golf Links Road. (170.5, 189.2, 189.3, 189.4, 340.3)

Response. The referenced cut slopes in the Sheffield subdivision are considerably steeper than the cut and fill slope gradients called for in the RDEIR. The RDEIR stipulates that cut and fill slope gradients along the access road shall not exceed 2:1, horizontal-to-vertical (RDEIR page 205). This gradient criteria will allow successful retention of topsoil. A more detailed landscape plan will be required by the City, as explained in response to Environmental Point E.41. The suggestion regarding review of the project landscape plan by an independent landscape architect has been added to the mitigation program. RDEIR page 208 has been revised to add measure g requiring this independent review.

The developer should note and consider the commenters' suggestions regarding the usefulness of a three-dimensional model.

Regarding the possibility of a Golf Links Road-only alternative, please see RDEIR page 207 and the response to Environmental Point F.51 in this document.

Environmental Point E.44. (Mitigation enforcement.) Regarding RDEIR page 203, who will monitor the various project CC&Rs? Who will monitor the vegetative screening? The homeowners association, given the desires to protect their views, are not the appropriate body. Regarding RDEIR page 207, how will the CC&Rs regarding light and glare be implemented? In the event of a dispute over implementation, will the City or East Bay Regional Park District be involved with any standing? What happens if the mitigations for light and glare are not successful? Who monitors their success and enforces their mitigation? (93.48, 93.60, 93.62, 190.9, 190.10, 223.4, 223.6, 223.7)

Response. Project bylaws and CC&Rs are to be City conditions of approval which will be monitored and enforced by the homeowners association with violations subject to City zoning abatement procedures.

PUD approval could be made contingent upon applicant preparation for City review of a detailed project landscape plan and associated landscape design standards. The landscape plan should include requirements and limitations regarding tree trimming and removal which would be included in the bylaws of the homeowners association and in the CC&Rs for each affected lot. Given the ongoing, long-term importance of vegetative screening in mitigating the project visual impacts, the RDEIR mitigation language has been revised and clarified to suggest establishment of a program of ongoing maintenance and enforcement of existing and introduced vegetative screening as a condition of PUD Permit approval. Permanent implementation of the program would be a principal role and responsibility of the homeowners association, which would collect dues to cover common maintenance costs and to enforce project CC&Rs. Violations of these CC&Rs, or failure by the homeowners association to adequately enforce the CC&Rs, would represent a violation of the PUD Permit and Final Map Conditions of Approval, and thus, like any other development requirement (height limitations, etc.) would be subject to City zoning abatement procedures.

Environmental Point E.45. (EBMUD requirements.) EBMUD states that the District restrictions on landscaping described on RDEIR pages 376 and 378 are no longer applicable. (157.12)

Response. In response, RDEIR page 376 has been revised. No change on page 378 is necessary. Please see Environmental Point E.42 by EBMUD.

Environmental Point E.46. (Mitigation of Lake Chabot views.) Despite the proposed RDEIR mitigations, the project would not mitigate the visual effect as seen from Anthony Chabot Regional Park. (223.9)

Response. Effective implementation of mitigation measure (2-a) on page 204 of the RDEIR would reduce project impacts on views from Anthony Chabot Regional Park to less than significant levels.

Environmental Point E.47. (Mitigation of tennis court light and glare impacts.) Regarding the tennis courts, what will be the hours of operation? The mitigation on lighting times is not a mitigation as proposed. If the lights are on in the early evening, that is the time when they will be most visible to park visitors. How will the lights be made less visible? How will the glare be reduced? A timer is not mitigation, unless the lights are timed to go off at dusk. (93.63, 190.2, 190.8, 190.11)

Response. Comment acknowledged. The proposed tennis court lighting mitigation measure has been expanded on RDEIR page 208 to recommend design or location of the tennis court facilities in a manner which prevents direct, unobstructed views of the lights from offsite and onsite viewpoints (i.e., locate the courts out of view, or incorporate structural barriers or berms to shield the lights from view).

Environmental Point E.48. (Masonry wall as mitigation.) How can the need for a wall be determined if the visual impact to the golf course is not shown? (165.18)

Response. Although visual impact of the project on certain golf course fairways is not illustrated with a graphic, the impact is adequately described based on field evaluation and topographic analysis.

Environmental Point E.49. (Mitigation suggestions for ridgetop homes.) Commenter suggests a number of design concepts and details for incorporation into the project to reduce its visual impacts, such as integration of the project and golf course through land

transfers, architectural and site design (clustering) techniques to conceal the homes from view from the East Bay "floor," use of natural colors, techniques to camouflage the access road bridges, etc. The comments include numerous sketches. (159.1, 159.2, 159.3)

Response. The RDEIR includes measures considered adequate and reasonable to mitigate project visual impacts. Some of the measures suggested by the commenter may be effective, but are complex and of questionable feasibility (land swaps with portions of the golf course, etc.).

Environmental Point E.50. (Views from Lake Chabot.) The visual impacts described on Lake Chabot are too focused (on the south end of the lake and the East Shore Trail) and do not include the proper overall visual context of the site and park. It should be noted that the two views described are 0.9 and 1.14 miles distant from the project (viewpoints 8 and 9 respectively). It should also be noted that there are several hundred acres of the park, with extensive trails adjacent to the lake area. There are a number of urban elements closer to Lake Chabot than the site that can be seen from trails around Lake Chabot. The San Leandro Rock Quarry site can be observed from the West Shore Trail, and Bay-O-Vista houses can be seen from Bass Cove and Columbine trails. There are also many residences in Castro Valley which are contiguous to the southern boundary of the park and can be seen from the George and Ten Hill trails. (167.33)

Response. In response to these comments, the discussion has been expanded on RDEIR pages 181-182 to provide additional visual context. RDEIR conclusions regarding the significance of the project visual impacts on Lake Chabot and associated mitigation recommendations have not changed, however.

Environmental Point E.51. (Characterization of the project site.) The statement that the site represents one of the few remaining substantial undeveloped properties in the south Oakland Hills ignores the thousands of acres of parklands and open space in the south Oakland Hills. (167.30)

Response. RDEIR page 173 has been revised to state here that the site represents one of the few substantial remaining undeveloped *residentially zoned* parcels in the

south Oakland Hills. The project site relationship to the overall open space pattern in the area is well-documented and illustrated in sections IV.A and IV.B of the RDEIR.

Environmental Point E.52. (Consistency with OCP visual policies.) The significant visual impacts of the project on the site's grass-covered central knoll would be inconsistent with the OCP policy cited on RDEIR pages 208-209 regarding preservation wherever possible of prominent topographic features. The project is inconsistent, not "may be inconsistent," with this policy because it places the project homes in the highest, most visually prominent knolls and ridges of the site. This inconsistency should be noted in the RDEIR. The project significant adverse visual impacts would also be inconsistent with OCP policies calling for special efforts to conserve open space and natural resources in the hill areas, and with the policy that "every development that occurs here on a site of substantial size should reserve the most appropriate portions as permanent open space," and that these should generally add up to a significant portion of the site. (93.6, 93.7, 93.65)

Response. The RDEIR clearly and adequately describes apparent project inconsistencies with all policies mentioned in this comment (see RDEIR pages 208, 209, 154, 155, and 156). The term "may be" was used since OCP policies are interpretive, and the Planning Commission and City Council must make the final determination regarding project OCP consistency. In any event, the term "may be" on RDEIR page 209 has been revised to read "appear to be" in response to this comment.

Environmental Point E.53. (Obliteration of scenic route views.) The project is located along a state and city designated scenic highway, I-580. The RDEIR is wrong in its interpretation of the word "obliterate" in the OCP. The structures proposed for Dunsmuir Ridge would destroy the views of the site as a natural area. Please correct this "tortured logic" at the bottom of page 209. (93.66, 93.67, 98.21)

Response. The referenced language on DEIR page 209, that "although the project would significantly reduce the visual appeal of the project site's existing natural features, the project would not obliterate (block, obscure, erase, or destroy) I-580 vistas or views" is fair and accurate as written and in no way misleads City decision-makers.

Environmental Point E.54. (Mitigation section confusing.) Under RDEIR page 197, the commenter states that the large menu of possible mitigation measures and their effectiveness in mitigating visual impacts is confusing. The RDEIR generally suffers from this problem. With so many different mitigation options, it is difficult to know what the proposal is. A particular proposal should be made so that the EIR and the public can address it (as required by CEQA). The project is fairly clear, but the numerous project-alternatives are not. Alternatives A through H include a wide array of potential mitigations. At this juncture a focused EIR should be prepared for any alternative that is to be given serious evaluation. It is often unclear in the 633 page document when and what alternatives and mitigations apply to various alternative projects. This particular section on RDEIR page 197 is very complex. (93.37, 93.52, 93.53, 95.1, 190.40, 190.41)

Response. Although the intent was to provide an EIR which is written in plain language with appropriate graphics so that decision-makers and the public can rapidly understand the documents, the visual impacts mitigation program and other impact and mitigation sections of the RDEIR must also reflect the complexity of this particular project. With respect to visual impacts, each of the project's two basic development components, the hillside access road and the hilltop residential area, has varying visual impacts on each of the various principal vantage points of concern: I-580, Sheffield Village, the Dutton-Bancroft area west of I-580, Bay-O-Vista, and the Lake Chabot/Castro Valley area. For each view, a range of possible mitigation measures are described, in order of increasing degrees of project modification, so that City decision-makers will have an adequate informational basis to consider in balancing various possible degrees of project accommodations against desires to minimize visual impacts.

Regarding the need to recommend a "particular proposal," CEQA section 15126(c) requires that "Where several measures are available to mitigate an impact, each should be discussed and the basis for selecting a particular measure should be identified if one has been selected." In this visual impact mitigation case, one measure has not been selected; rather, a range of mitigation choices has been described for each visual impact, and the comparative effectiveness of the measure in mitigating the impact is described (i.e., the impact significance after mitigation), as well

as the effect of the measure on the number of units, on meeting the basic project objectives, etc.

In recognition of the complexity of these mitigation choices, a summary table has been provided on RDEIR page 212.

Regarding project versus alternative discussions and the suggestion that an EIR should also be prepared for certain alternatives, CEQA section 15126(d) clearly indicates that "the significant effects of the alternative shall be discussed, but in less detail than the significant effects of the project as proposed."

All mitigations described in section IV of the RDEIR, Setting, Impacts and Mitigations, apply to the project as proposed (i.e., as described in section III of the RDEIR). The discussion of alternatives to the project and their mitigating effects is confined to section VI, Alternatives to the Project. Section V, Project Access, has been included in the document to consolidate all access-related impact and mitigation information regarding the project as proposed.

Please see page 4 of the RDEIR for an explanation of the RDEIR content and organization.

Environmental Point E.55. (Peralta Oaks-Foothill Way extension tree planting.) Regarding the proposed tree planting along the Peralta Oaks Drive-Foothill Way extension, there is not sufficient room in the proposed R-O-W to accommodate such tree sizes on the west side of the sound attenuation fence. Such planting would be of greater benefit to existing homes on the east side of the new fence. (167.37)

Response. Landscaping on both sides of the fence would be beneficial; on the west side to enhance the appearance of the new through collector street, and on the east side to mitigate the loss of trees in the affected yards. Tree planting on the west side might be accommodated in the form of tree plant bulbs which share the onstreet parking lane.

Environmental Point E.56. (550-foot-contour as mitigation.) In the summary on RDEIR page 14, reference is made to eliminating development above the 550-foot contour in subareas A, B, and C, as shown on Figure 28. It is not easy to determine from the various graphic depictions of the site the extent to which this contour 550 represents the best definition of the area from which units should be excluded. The RDEIR page 209 mitigation of limiting structures above the 600-foot contour will not materially affect the visual impact. Limiting the project to build only off the ridge, whatever the contour, is the only acceptable alternative and the only alternative that would comply with the OCP. (54.A.4, 98.49)

Response. Through study of ground-level photography at the various selected vantage points surrounding the project, in combination with examination of the aerial photos of the site, analysis of onsite and offsite topography, and consideration of proposed project finished grades and building heights, it was determined by the RDEIR authors that, if development were excluded from areas above the 550-foot contour, that offsite views from urban vantage points to the west and southwest of the site's upper ridge and central knoll (see Figures 5 and 52) would be retained.

The contour figure of 600 on RDEIR page 209 has been revised to 550 feet. The area above the 550 contour is the ridge; this is the point of the mitigation.

Environmental Point E.57. (Measure K as mitigation.) On RDEIR page 182, please add that the scenic nature and panoramic views from the Dunsmuir Ridge were one of the reasons the Dunsmuir Ridge was selected as a Measure K open space acquisition site in 1990. The EIR should address passage of Measure K as an opportunity to protect Lake Chabot, and as a potential funding for acquisition of the site when stating on page 200 that "Obviously, acquisition of the project site as permanent open space would be the most effective means of avoiding project visual and other environmental impacts." (93.15, 93.30, 93.46, 165.8, 340.4, 347.1, 347.2)

Response. Regarding the first part of this comment, please see response to Environmental Point C.29. Reference to possible use of Measure K funding towards possible future acquisition of all or a portion of the site as permanent open space has been added to subsection A of section VI, Alternatives; see revisions to RDEIR page 503.

Environmental Point E.58. (Simulations of proposed alternatives.) The RDEIR should include visual simulations of the proposed alternative visual impact mitigations. The policy makers and the public have no visual evidence of what alternatives mean and what impact they would have. Similarly, the RDEIR should include simulations of the proposed six entrance road alternatives. (93.51, 93.54)

Response. CEQA section 15126(c) states that the description of project mitigation measures should be "in less detail than the significant effects of the project as proposed." To add the 6 to 20 additional photomontage visual simulations as suggested would exceed the scope and the "rule of reason" that has governed the scope of the EIR. The comparative effectiveness of the various mitigation measures in reducing the impacts of the project is summarized with the tables on pages 211-212 and 485 of the RDEIR.

Environmental Point E.59. (Apparent mitigation.) Based on review of the proposed visual impact mitigation, it appears that nothing short of a major reduction in size of the project will eliminate the significant adverse impacts of the project and most of its alternatives. (93.50)

Response. Comment acknowledged. A substantial reduction in the number of units constitutes one of the measures which would be necessary to mitigation project visual impacts to less than significant levels.

Environmental Point E.60. (Effectiveness and impacts of road design alternatives.) There is little evaluation of the geologic and seismic hazards associated with the single access road with crib walls or with bridges. Is it a mitigation or another project? Does it avoid, minimize, rectify, reduce, or compensate for the impact? No. (93.58, 93.59)

Response. The RDEIR on pages 206 and 207 explains that the single-access road with crib-walls or bridges alternative would require less grading, and would have reduced geotechnical and visual impacts; i.e., would have a mitigating effect. The RDEIR on page 436 indicates that either of these two access road alternatives would reduce the access road vegetation/wildlife impacts to less than significant levels. Page

206 indicates that the single-access-road-with-crib-walls or bridges alternative would substantially reduce the visual impacts of the access road, but not to less than significant levels. Pages 309, 311, 312, 313, 314, and 315 of the RDEIR include mitigation measures to reduce the geotechnical impacts of the dual access road as proposed to less than significant levels. Pages 485, 486, 488, and 489 of the RDEIR indicate that the single-access-road-with-crib-walls or bridges alternative would require substantially less grading than would the proposed dual roadway design. Regarding the impacts of site faulting and seismic-shaking factors on crib walls, please see response to related Environmental Points G.34, G.55, and G.57.

Page 480 of the RDEIR states that the single-access-road-with-crib-walls or the single-access-road-with-bridges would be most preferable from a combined visual, circulation, grading, drainage, emergency service, and biotic standpoint.

Environmental Point E.61. (Visual impact due to crib wall landscaping not being watered/ crib wall landscaping will take years to mature.) What happens to the visual impacts when the crib walls are not watered? How likely is it that they will not be watered by the homeowners association? Concern was expressed regarding the ability of the landscaping in the crib walls to be irrigated and to mature. (235.7, 349.2)

Response. Crib walls are not proposed as part of the project. Crib walls are recommended as a visual mitigation measure on page 206 of the RDEIR. A drip irrigation system would be implemented to water the landscaping. In response to these concerns, the mitigation measures regarding ongoing maintenance and replacement of vegetation have been expanded upon on page 208 of the RDEIR. Further detail regarding irrigation and maintenance would be included in the landscape plan to be submitted by the applicant subsequent to EIR certification.

Environmental Point E.62. (Flattened slopes.) The visual impacts of the proposed grading plan will be even more so once the cut slopes are flattened to more stable 2:1 slopes in the weathered and fractured bedrock that would probably be predominant along the proposed roadway alignment. (148.8)

Response. The comment is inaccurate. The proposed cut-and-fill slope limitation of 2:1, horizontal to vertical would represent a 50 percent slope gradient, and would not fit the characterization of "flattened." Rather the 50 percent gradient requirement is intended to be more compatible with the natural contours of the site, which are shown on RDEIR Figure 53 to be predominantly in the 50+ percent range in the project hillside area. Slope gradients of 2:1 are also recommended based on their ability to support the topsoil conditions necessary to allow revegetation.

Environmental Point E.63. (Requiring landscape screening questioned.) CEQA does not require landscaping, nor does the City of Oakland in its planning process. (322.7)

Response. CEQA states that mitigations should be described for identified significant adverse impacts. CEQA does not stipulate what types of measures are or are not appropriate for various types of impacts. The City through its permitting process can and routinely does, request any reasonable landscaping or other project modifications as conditions of project approval.

Environmental Point E.64. (Visual impacts on Sheffield Village.) The project uses bay views as a selling point while taking valuable hill view assets away from Sheffield Village residents. (162.3)

Response. Comment pertains to the merits of the project rather than to RDEIR adequacy. No further response is necessary.

Environmental Point E.65. (Visual impacts of noise walls.) The visual impacts of the RDEIR-proposed noise walls are not adequately addressed. (78.11)

Response. The potential visual impacts of the proposed noise walls and related mitigation recommendations are adequately described on RDEIR pages 198 and 353. In addition, the related mitigation described on RDEIR page 353 (the Noise section) has also been reiterated on page 207 of the Visual Factors section in response to this and similar comments (see revised version of page 207 in section II of this Final EIR document).

Environmental Point E.66. (Mitigation of project impacts on Lake Chabot view.) The City should give high value to those RDEIR mitigation measures which would reduce or eliminate significant adverse visual impacts of the project on Lake Chabot--specifically, Measures 2A on page 204 and Alternative F on page 512. (316.1)

Response. Comment cites RDEIR sections, and does not pertain to the adequacy of the RDEIR. No response is necessary.

Environmental Point E.67. (Visual impacts unmitigable.) The visual impacts of the project are totally unmitigable. The City is obligated to preserve project open space and views from Lake Chabot. Oakland voters have approved Measure K to provide money for open space acquisition. (351.1)

Response. The RDEIR identifies some project visual impacts as capable of mitigation to insignificance, and other visual impacts as capable of being substantially reduced, but not to a level of insignificance. Please see RDEIR pages 200 through 212. Regarding Measure K and its implications for the project, please see response to Environmental Point E.57.

F. COMMENTS ON RDEIR SECTION IV.C: TRANSPORTATION

Environmental Point F.1. (Peralta Oaks/Foothill extension benefits.) The RDEIR should mention that the Dunsmuir House South Gate area attracts troublesome "partying youngsters" and that the completion of the Peralta Oaks Extension would put an end to that activity. (39.1)

Response. Existing or potential future loitering activity at the south gate is not considered to be a substantive environmental concern.

Environmental Point F.2. (Impacts on San Leandro residential streets.) Several commenters expressed concern over project impacts on San Leandro residential streets. Specifically they raised concerns relating to quality of life impacts as opposed to operational concerns and the tendency of existing and project traffic to short cut through residential streets to avoid congestion (e.g., at the Dutton/Bancroft and Dutton/East 14th Street intersection). Concerns relating to project contribution to cumulative impacts on the neighborhood quality and safety on Estudillo Avenue were also raised. (54.A.1, 54.B.1, 98.54, 197.3, 197.4, 197.5, 215.5)

Response. The RDEIR traffic analysis assumed distribution of traffic based on existing traffic patterns and determined operational impacts over key road links and intersections based on quantitative analysis. Project impacts on traffic volumes on local roadway links and on local intersections in San Leandro and Oakland are described in detail on pages 237 through 248. The RDEIR analysis also identifies impacts on neighborhood quality (on pages 249 and 250) by providing information on percentage increases of traffic volume and accident data; however, no definitive quantitative methodology for assessing the quality of a neighborhood is available. The RDEIR does conclude that noticeable traffic increases would occur on various arterial and collector streets which are lined with residential land use. However, these streets have been assigned by the City of San Leandro (through their designation as arterials and collectors) to accommodate these volumes and, therefore, the impacts on neighborhood quality due to these traffic increases do not represent significant impacts. The RDEIR on page 250 does indicate that project traffic increases will contribute significantly to existing safety concerns on certain residential streets north of Dutton,

and includes an associated mitigation measure on page 269. Otherwise, no project generated noticeable traffic increases would occur on designated local residential streets in San Leandro. Mitigations proposed in the RDEIR would improve LOS at affected intersections and would remove the incentive for "short cutting" through neighborhoods which may currently exist.

Environmental Point F.3. (Safety hazards for school children.) The project would result in greater traffic safety hazards to children attending Washington and Roosevelt elementary schools and Broadmoor Cooperative Nursery on Dutton Avenue. (54.B.2)

Response. The project impacts on pedestrians at the two elementary schools and day care center are addressed on page 249 of the RDEIR. Recommended mitigation is described on page 267 of the RDEIR.

Environmental Point F.4. (Dowling Boulevard impacts.) The 9.1 percent increase in traffic volume on the I-580 southbound offramp to Dutton/Estudillo intersection via MacArthur Boulevard would increase safety hazards created by cars turning right onto Dowling Boulevard. (54.B.3)

Response. The RDEIR addresses this safety impact on page 250. Because no project related impacts were identified, no mitigation measures were recommended.

Environmental Point F.5. (San Leandro improvement costs.) The project should contribute to the cost of specific offsite traffic improvements in San Leandro, including improvements at the MacArthur Boulevard/Estudillo Avenue and the MacArthur Boulevard/Foothill Boulevard/Superior Avenue intersections. (54.B.4, 98.55)

Response. Mitigation to impacts on offsite intersections are recommended throughout section IV.C.5 of the RDEIR. The question of payment for mitigation outside the jurisdiction of the City of Oakland is specifically addressed on page 275 of the RDEIR.

Environmental Point F.6. (San Leandro improvement costs.) The applicant should pay a pro rata share of the necessary cost of improvements within San Leandro to the City of San Leandro. (54.B.5)

Response. See response to Environmental Point F.5.

Environmental Point F.7. (San Leandro traffic impacts.) The Final EIR should discuss the potential impacts on traffic volumes on streets within San Leandro. (54.B.12)

Response. See response to Environmental Point F.2.

Environmental Point F.8. (I-580 related impacts.) The RDEIR does not provide current Average Daily Traffic nor A.M. and P.M. peak hour traffic counts for ramps and cross streets adjacent to Interstate 580. (73.1)

Response. The results of the traffic analysis of relevant I-580 on-/off-ramps is available in Table 19 on page 261 of the RDEIR. In response to this comment, RDEIR Appendix C has been revised to include actual traffic counts for each of these locations.

Environmental Point F.9. (Traffic count validation.) The methodology used to validate current ADT, A.M. and P.M. traffic counts should be included in the traffic analysis. (73.2)

Response. The methodology used to validate ADT and peak hour traffic is fully and clearly explained in the footnote on page 217 of the RDEIR.

Environmental Point F.10. (Lake Chabot Terrace traffic.) The RDEIR does not include traffic data for the proposed Lake Chabot Terrace development. (73.3)

Response. The RDEIR addresses the cumulative impact of potential development throughout section IV.C.3 (beginning on page 253). The Lake Chabot Terrace development site is referred to throughout the discussion as the "quarry site."

Environmental Point F.11. (Freeway ramps analysis needs.) The Dutton and Estudillo Avenue freeway ramps should be analyzed. (73.4)

Response. See response to Environmental Point F.8.

Environmental Point F.12. (Alternatives to freeway.) Mitigation measures should include alternative solutions to the traffic and congestion and circulation impacts which do not rely on increased highway construction. (73.5)

Response. The traffic analysis considered alternative traffic mitigation measures whenever appropriate, e.g., the proposed parking provisions at the intersection of Foothill Way/Peralta Oaks Drive/Dunsmuir Heights road are recommended in the RDEIR on page 265 for use as a park-and-ride facility.

Environmental Point F.13. (Freeway ramps analysis needs.) Proposed access improvements outlined on page 98 (Foothill Way, Peralta Oak Drive, and Interstate 580 ramps) will require further study and analysis. (73.6)

Response. A complete analysis of those improvements listed above is provided within the RDEIR, section IV.C. While some refinements to the improvement designs may be necessary, the RDEIR analysis of their impacts for CEQA purposes is adequate.

Environmental Point F.14. (Freeway ramps improvement costs.) The proposed realignment of the I-580/Foothill Way ramps will have to be 100 percent locally funded. The city should not front the cost of these improvements. (73.7, 98.30)

Response. The proposed arrangements for funding of construction of the above-noted improvements is described on pages 97 through 100 of the RDEIR. The improvements would be fully funded by the project sponsor.

Environmental Point F.15. (Local circulation policies.) The Transportation section of the RDEIR does not address the project relationship to relevant local circulation policies. (78.5)

Response. The RDEIR on pages 277 through 279 provides a complete and thorough analysis of project relationships to pertinent OCP *1985 Trafficways Map* and circulation policies. The policy consistency analysis addresses project consistency with the city's current circulation element, which consists of Section L-1 of the OCP as amended

through September 1980 by the Oakland City Council. This analysis fully complies with state CEQA Guideline 15125(b) pertaining to inconsistencies with adopted plans.

Environmental Point F.16. (Transit rerouting.) What is the feasibility/probability and status of recommended transit rerouting. What is meant by "tentative approval" on page 250. (78.17, 190.44)

Response. Tentative approval represents approval of the proposed rerouting at a staff level (i.e., from Mr. Ron Kilcoynce of AC Transit). Some of the reroutings would be necessary as a result of the closure of the existing Foothill Way link to MacArthur Boulevard which has been requested by Caltrans (see RDEIR page 226, paragraph 4). Other reroutings mentioned are suggested as obvious benefits of the OCP-designated Peralta Oaks Drive/Foothill Way extension. (Please refer to RDEIR Figure 38, on page 227.) The RDEIR recommends that the Peralta Oaks Drive-Foothill Way extension opportunity to better serve the area with transit be explored.

Environmental Point F.17. (Visual simulations.) The RDEIR analysis of the six entrance roads proposed should include visual simulation of each alternative, should have an EIR prepared on each alternative, and should be distinguished from the proposed project. (93.54)

Response. Project access road visual impacts are adequately addressed on page 198 of the RDEIR. Adequate analysis of the visual impacts of project alternatives is provided in section VI of the RDEIR. CEQA does not require separate EIRs be prepared for each proposed alternative.

The proposed project access routes are described in detail in section III of the RDEIR. Mitigation to identified impacts involving alternative access routes are described in section IV with respect primarily to IV.D, Geotechnical and Grading Factors, and IV.C, Transportation. RDEIR Section VI, Alternatives, also describes various scenarios involving through access to Golf Links Road. Finally, all access related issues are compiled in one location in section V, Project Access, to assist the reader in understanding all aspects of the project access issue.

Environmental Point F.18. (Golf Links Road only alternative.) The impacts of the alternative to connect with Golf Links Road are not addressed. (78.11, 96.4, 98.10, 98.12, 98.14, 322.3)

Response. The project applicant does not propose to connect project access roads with Golf Links Road, but rather has proposed a General Plan Amendment to allow construction of the project without such a connection. The connection to Golf Links Road is recommended in the RDEIR as a secondary access for emergency access only. The implications of such an emergency access route are described in section V.E, Golf Links Road Connection, on pages 489 through 498. A primary access through connection to Golf Links Road is neither proposed by the applicant or recommended in the RDEIR. However, if the project included such a connection to Golf Links Road, the traffic volume on Golf Links Road would be reduced due to a diversion of traffic through the project.

Environmental Point F.19. (Transit rerouting.) Rerouting of public transportation onto the Peralta Oaks Drive-Foothill Way extension will not reduce vehicle trips. (98.6, 336.1, 336.2)

Response. The provision of more convenient public transportation and park-and-ride facilities are recommended in the RDEIR to provide an opportunity for reducing average daily trips from the project as suggested by the OCP. While no specific level of success in convincing area residents to use public transportation has been assumed in the RDEIR traffic analysis (i.e., no project auto trips have been assumed to have been eliminated due to transit availability), it is anticipated that some transit ridership could be encouraged by provision of these facilities and services. The number of trips per day added to the Peralta Oaks Drive-Foothill Way extension by the addition of bus traffic is insignificant.

Environmental Point F.20. (Peralta Oaks Drive and Foothill Way extension intersection impacts and costs.) Regarding RDEIR page 100, the Peralta Oaks Drive-Foothill Way extension will contribute problems at the Foothill/106th and Peralta Oaks/106th intersections which have not been thoroughly studied. The mitigation measures proposed will contribute to rather than eliminate problems at these two intersections. Also, it is not clear that the project would pay for all such mitigation measures as it should. (98.7, 98.31, 336.3)

Response. The statements that proposed mitigations will contribute to traffic problems at these two intersections are unfounded. The benefits of these mitigations are described on pages 266 and 267 of the RDEIR. The applicant would pay for their fair share of these recommended improvements. Of the 15 study intersections addressed in the RDEIR, these two intersections are (1) and (2). Project impacts on these two intersections and associated mitigation measures are discussed extensively and adequately in the RDEIR. Please see RDEIR pages 26, 30, 215, 216, 223, 224, 239, 242, 244, 247, 248, 258, 259, 266, 267, 268, 270, 273, and 274 of the RDEIR. As shown on Figure 49, RDEIR page 273, the estimated levels of service at these two intersections after the project and mitigation is better than the existing LOS at these two intersections. See response to Environmental Point T.2 regarding implementation of mitigation measures that add existing street system deficiencies which must be eliminated to accommodate the added project traffic, and increases which are identified as fair share responsibilities of the project (i.e., cumulative mitigation needs).

Note: This Final EIR also includes an analysis by TJKM, Transportation Consultants of the traffic impacts of the project without the extension. That impact analysis, and related mitigation needs, is included in RDEIR Appendix C in section II of this document.

Environmental Point F.21. (Cumulative traffic.) The RDEIR should include the cumulative traffic impacts of the potential development on the quarry site and the EBRPD office building. (98.8)

Response. As the discussion of cumulative transportation impacts clearly explains on page 253 of the RDEIR, the traffic analysis includes consideration of trip generation by both the quarry site and the EBRPD office building.

Environmental Point F.22. (Improvement cost responsibilities.) The cost of street and ramp improvements should be solely those of the project developers, not the city. (98.9, 336.4)

Response. All recommended road and ramp improvements would be funded by the project developer unless a "fair-share" approach is specifically identified in the RDEIR. It is common practice for the City to act as the "project manager" for the construction of these facilities with the developer reimbursing the City for all costs.

Environmental Point F.23. (Golf course pathway impacts.) The RDEIR should evaluate the impact of the recommended pedestrian and bicycle pathway through the golf course. (98.17)

Response. The secondary impacts and associated secondary mitigation needs of the EIR-proposed bicycle and pedestrian access path through the golf course are adequately described on RDEIR pages 395 and 396.

Environmental Point F.24. (Through-access golf course impacts.) The RDEIR should address the impact of a through access on the golf course. (98.63)

Response. The RDEIR adequately describes the impacts of a through access on the golf course on pages 491 through 495.

Environmental Point F.25. (Cranford Way as primary access.) There needs to be a study of the traffic impact of one of the proposed emergency connections to Cranford Way as a primary access. How did the RDEIR determine that that would only be 25 trips per day with an exit on demand gate and 50 without a gate. (98.33, 168.4, 168.6, 317.4, 319.1)

Response. The level of use of the Cranford Way access under the two gate alternatives were estimated based on comparison of travel times over this route and the primary access road routes as described on RDEIR pages 230 and 231.

The intent of the emergency access near Cranford Way is to provide a locked gate for inbound vehicles and an "on-demand" exit gate for emergency vehicles and use by the general public under extreme emergency; i.e., with the main access being cut off. The Cranford Way to Marlow or Revere routes would be able to handle additional traffic on a technical operational analysis basis. However, it is evident from an environmental and general nuisance standpoint that any additional traffic on these streets would

impact the Sheffield Village residents. Therefore, it is suggested that the area near the gate be designed and signed to detract Dunsmuir residents from using it on a regular basis. Techniques are provided in Residential Street Design and Traffic Control, ITE, 1989, which would achieve the desired result. The area near the gate can be designed as an actual cul-de-sac without driveway ramps. A cul-de-sac can still allow emergency vehicle passage by creating a surface such as "grass-crete" (concrete matrix with grass planted in cells) configured to permit emergency vehicle passage. A design such as this would deter use by passenger cars. It is unlikely that the City of Oakland would allow the gate to be opened for full use by Dunsmuir residents given the objection at this time and in the future by Sheffield residents if Dunsmuir Heights is occupied.

Environmental Point F.26. (MacArthur Boulevard/Foothill/Superior Avenue intersection mitigations.) The recommended mitigation actions at the MacArthur Boulevard/Foothill/Superior Avenue intersection would increase safety concerns. (98.52, 235.8, 236.6)

Response. The traffic mitigations recommended at the intersection of Foothill Boulevard/MacArthur Boulevard/Superior Avenue are feasible projects. The mitigation may be a complex project due to the geometrics and dynamics of the intersections and also the number of jurisdictions which might be involved in the review and approval process (Caltrans, Alameda County, San Leandro, Oakland). Because of this complexity, two alternatives were presented in the RDEIR for consideration and analysis during the design phase. The second alternative is an enhancement of the existing jughandle movement.

Environmental Point F.27. (Grass Valley impacts.) Please review the impacts of the project on the Grass Valley Community. (337.1)

Response. The project as proposed would not have an access connection to Golf Links Road. Consequently the project as proposed would not have any traffic related impact on the Grass Valley community, with the exception of those trips generated by parents driving children to Grass Valley and Marshall Schools.

The traffic impacts on the Grass Valley community road system due to the EIR proposed easterly access connection to Golf Links Road are described in section V, RDEIR pages 494, 495, and 497. In addition, it is assumed that some of the children from the project would go to school via the pedestrian and bicycle access path through the golf course or would be delivered to school via a special transport as described on pages 395 and 396. The remaining children would have to be driven to school; however, this number could be reduced through carpooling and would not represent a significant traffic impact.

Environmental Point F.28. (Emergency access through Chabot Park Highlands.) The impacts and cost of an emergency access road through Chabot Park Highlands have not been addressed. (35.1, 98.57, 98.61, 134.5, 134.6, 134.7, 304.5)

Response. Neither the applicant nor the RDEIR proposes an emergency access route through Chabot Park Highlands. The emergency access road through the golf course was proposed in the RDEIR specifically to avoid the impacts caused by a connection through Chabot Park Highlands.

Environmental Point F.29. (Golf course pathway impacts.) The proposed pedestrian pathway through the golf course would induce crime in the golf course and Chabot Park Highlands area. (134.8, 321.3)

Response. Please see response to Environmental Point F.23.

Environmental Point F.30. (Eminent domain public purpose.) What is the public purpose of the proposed use of eminent domain to connect Peralta Oaks and Foothill extension. (144.1, 168.9, 199.6, 333.1)

Response. Offsite property acquisition requirements of the project are clearly addressed on pages 100 through 102. For a response to the question of the public purpose of the use of eminent domain to facilitate the extension of Foothill Way, please see response to Environmental Point C.18.

Environmental Point F.31. (Foothill extension pros and cons.) The RDEIR should address the advantages/disadvantages of the Foothill extension. (144.2, 201.1)

Response. The Peralta Oaks extension is contained in the City of Oakland's 1985 *Trafficways Map* of the Oakland Comprehensive Plan. The extension would not carry a significant traffic volume, nor is it required to serve the projected traffic demand of the Dunsmuir project. The extension does provide a frontage road for an interstate freeway. Caltrans is generally concerned with local trips using freeway routes and welcomes frontage roads wherever possible. The extension also provides an outlet for the existing Sheffield Village neighborhood on Oakland streets, and an additional access point for the Dunsmuir House and the new EBRPD office.

Note: This Final EIR also includes an analysis by TJKM Transportation Consultants of the traffic impacts of the project without the extension. That impact analysis, and related mitigation needs, is included in RDEIR Appendix C in section II of this document.

Environmental Point F.32. (Freeway interchange improvement funding.) The RDEIR statement on page 403 stating that City, state, and federal funding would be available for improvements to the I-580 interchange at Foothill Boulevard contradicts other statements that these improvements would be funded entirely by the applicant. (144.3, 144.4)

Response. Comment acknowledged. The RDEIR text on page 403 has been corrected to be consistent with other statements in the RDEIR.

Environmental Point F.33. (Intersection locations.) MacArthur Boulevard/Dutton Avenue intersection, and MacArthur between Dutton and Estudillo are in San Leandro, not Oakland. (165.20, 214.1, 214.2, 214.3)

Response. Comment acknowledged. Appropriate corrections have been made to the text on RDEIR pages 215 and 217.

Environmental Point F.34. (OCP consistency.) A project which is completely auto-dependent is not consistent with the OCP. (165.21)

Response. The project-proposed reconstruction of the south entry gate to the Dunsmuir House would include construction of new bus pulloffs to facilitate local use of AC Transit routes. While these proposed facilities would not be convenient for project resident use, the RDEIR (on pages 264 and 265) recommends designation of portions of the proposed Dunsmuir House parking lot and the additional onstreet parking along the Foothill Way-Peralta Oaks extension for park-and-ride use in order to make transit use more convenient to project commuters and to bring the project into compliance with the OCP.

Environmental Point F.35. (I-580 LOS.) The volume to capacity level of .86 (LOS D) identified for I-580 between Grand Avenue and 106th is acceptable during peak hours. (167.38, 167.B.1)

Response. Comment acknowledged. The discussion of freeway LOS during peak hours on RDEIR page 218 has been revised to reflect that LOS D is acceptable during peak hours.

Environmental Point F.36. (I-580 trip additions.) The total number of trips added to I-580 during peak hours north of the 106th Avenue interchange would be 125, for a total of 1,310 vehicles per lane (a relatively minor increase of 1.8 percent). The RDEIR on page 243 says the total volume would be 1,250 per lane resulting in a 7.3 percent increase. (167.40, 167.B.2)

Response. Comment acknowledged. In response to this comment the discussion of the impacts on page 243 on the peak hour freeway traffic volumes has been corrected. This correction does not affect RDEIR impact conclusions.

Environmental Point F.37. (I-580 ramp modification timing.) The RDEIR states that I-580 ramp modifications would occur concurrently with construction of the project entry drive. They would actually occur concurrently with the extension of Foothill Way. (167.4)

Response. Comment acknowledged. RDEIR page 2 has been corrected accordingly.

Environmental Point F.38. (Table 11 clarification needed.) The description of interchange components on Table 11 could be clarified. (Specific clarification suggested.) (167.39)

Response. Clarifications to Table 11 recommended by this comment have been made.

Environmental Point F.39. (Table 13 clarification needed.) The description of ramp components on Table 13 could be clarified. (167.41)

Response. The clarification to Table 13 recommended by this comment has been made.

Environmental Point F.40. (Ramp description clarification needed.) The description of ramp components on Table 14 could be clarified. (167.42)

Response. Clarifications to Table 14 recommended by this comment have been made.

Environmental Point F.41. (Construction traffic route alternatives.) The RDEIR inaccurately describes construction period heavy truck traffic route alternatives on page 252. (167.43)

Response. Comment acknowledged. The discussion of construction period heavy truck routes has been revised as a result of this comment.

Environmental Point F.42. (Dunsmuir House parking.) The mitigation requiring an additional twenty spaces for Dunsmuir House parking is not necessary because 20 additional parallel spaces would be provided along the Peralta Oaks Drive-Foothill Way connection. (167.44)

Response. RDEIR page 265 has been revised to add onstreet parking provisions as an alternative to the mitigation measure which called for an increase in parking lot size. The new measure calls for construction of onstreet (curbside) parking provisions along the Foothill Way extension.

The existing parking lot of over 100 parking spaces consists of diagonal parking along the alignment which would become the Foothill Way-Peralta Oaks extension. Assuming there is available width on this right-of-way, the Foothill Way-Peralta Oaks extension could be designed with diagonal or parallel parking in the same area. The parking supply could even be significantly increased if the Peralta Oaks extension were designed as a "collector street" (OCP designation) with a width that would allow parallel parking between Dunsmuir Heights Drive and the existing terminus of the Peralta Oak Drive.

The park-and-ride spaces would typically be occupied by commuters between 7 a.m. to 6 p.m. on Monday through Friday. Assuming that the majority of events at the Dunsmuir House occur on weekends, the parking lot spaces could be shared by both users. If there are events during normal work hours, the surplus parking on Peralta Oaks Drive extension would be used. The Dunsmuir park-and-ride lot could be signed for Dunsmuir House users on weekdays with special events.

Environmental Point F.43. (Transit rerouting.) The RDEIR incorrectly states on page 343 that rerouting of existing RCV and 34C lines may not be feasible. (167.59, 167.B.3)

Response. Comment acknowledged. RDEIR page 343 has been corrected to state that rerouting of existing lines 55 and 40 may not be feasible.

Environmental Point F.44. (General Plan Amendment not required for private street.) Contrary to what the RDEIR states in footnote #2 on page 403, a general plan amendment is not required to make the street system private. (167.72)

Response. The OCP 1985 Trafficways Map calls for a public "collector street" connection between Foothill Way and Golf Links Road, through the project. If the applicant wishes to eliminate this public through connection and provide a private, non-through connection instead, then a general plan amendment will be required, as explained on RDEIR pages 10, 116, 121, and 277. In response to this comment, footnote #2 on RDEIR page 403 has been revised to indicate that a general plan

amendment would be required to make "the project access road," rather than the "project street system," private.

Environmental Point F.45. (Additional emergency access difficult.) An additional emergency access to the northeast would be difficult to construct. (167.E.2)

Response. Comment noted. The difficulty in constructing the recommended emergency access road to the northeast was considered. The necessity for the route remains despite this difficulty.

Environmental Point F.46. (Estudillo and Dutton mitigations needed.) There are not mitigations to traffic problems on Estudillo Avenue and Dutton Avenue. (98.51, 168.7)

Response. Project impacts on Estudillo and Dutton Avenue are described on RDEIR pages 249 and 250. Project impacts on these roads are not significant and therefore no mitigations are recommended.

Environmental Point F.47. (Golf course pathway.) Is the proposed pedestrian walkway through the golf course safe and is it even possible? (168.8)

Response. Please see response to Environmental Point F.23.

Environmental Point F.48. (Dunsmuir House parking.) The RDEIR does not address the loss of over 100 parking spaces due to the Peralta Oaks Drive extension. (181.9, 181.10, 197.7)

Response. The existing parking lot of over 100 parking spaces consists of diagonal parking along the alignment which would become the Peralta Oaks extension. Assuming there is available width on this right-of-way, the Peralta Oaks extension could be designed with diagonal parking in the same area. The parking supply could even be significantly increased if the Peralta Oaks extension were designed at a width that would allow parallel parking between Dunsmuir Heights Drive and the existing terminus of the Peralta Oaks Drive. Alternatively, the RDEIR suggests that the

proposed Dunsmuir House parking facility here would be enlarged to offset the loss. The RDEIR text has been revised to reflect this new parking design recommendation.

The park-and-ride lot would typically be occupied by commuters between 7 a.m. to 6 p.m. on Monday through Friday. Assuming that the majority of events at the Dunsmuir House would continue to occur on weekends, the parking spaces could be shared by both users. If there are events during normal work hours, the surplus parking on Peralta Oaks Drive extension would be used. The Dunsmuir park-and-ride lot could be signed for Dunsmuir House users on weekdays with special events.

Environmental Point F.49. (Visitor parking.) Where would visitors to the project homes park (e.g., while attending a birthday party)? (217.2)

Response. The RDEIR on pages 232 and 233 clearly and adequately addresses the quantity and location of proposed parking. Necessary mitigation relating to parking space proximity is described on page 264.

Environmental Point F.50. (Impacts on Bancroft Avenue) The RDEIR on page 218 should note that Bancroft Avenue in the project vicinity is residential, not commercial, except for small neighborhood-serving retail clusters at major intersections. It should also be noted here that Dutton Avenue and Estudillo Avenue are both residential streets. (188.1, 188.2, 188.3)

Response. The referenced paragraph on RDEIR page 218 relates to traffic volumes along these routes, and was not intended to also describe land use characteristics. In response to this comment, RDEIR page 218 has been revised to delete the word "commercial" in describing the Bancroft Avenue arterial. No land use reference is included in this paragraph with respect to Dutton Avenue and Estudillo Avenue. The land use/neighborhood quality aspects of these routes are addressed elsewhere in the RDEIR. (See RDEIR pages 133, 174, 176, 179, 181, 186, 197, 198, 240, 243, 249, 250, 256, 267, and 274.)

Environmental Point F.51. (Golf Links access preferred.) The main access to the project should be off of Golf Links Road. (189.4)

Response. The Golf-Links-Road-only alternative is discussed on RDEIR page 207. In responses to this Environmental Point and Environmental Point E.43, additional discussion of this alternative has been added to section V of the RDEIR, Project Access (see revised RDEIR page 498).

If the Dunsmuir Heights development had its main entrance off of Golf Links Road through the Lake Chabot Golf Course, Golf Links Road and Malcolm Avenue would serve as alternative ingress and egress choices for the project. The most convenient route would be Golf Links Road, since it has been observed that residents who live near the top of Malcolm Avenue use Golf Links Road as an outlet rather than Malcolm Avenue. Golf Links Road has an approximate reserve capacity of 2,700 vehicles per day before the operational design capacity would be exceeded. The Dunsmuir Heights development is expected to generate approximately 4,800 vehicles per day. Thus, if the Dunsmuir Heights development has its only entrance off of Golf Links Road near the Lake Chabot Golf Course, the operational capacity of Golf Links Road would be exceeded.

A reduced project of 253 units would generate approximately 2,400 vehicles per day. If a reduced project of 253 units at Dunsmuir Heights had its only entrance off of Golf Links Road near the Lake Chabot Golf Course, the operational capacity of Golf Links Road would not be exceeded.

The Golf-Links-Road-only alternative would not be consistent with the OCP Trafficways Map which calls for a through connection between Golf Links Road and Foothill Way.

Environmental Point F.52. (Post-earthquake traffic levels.) Traffic levels may be different after the Loma Prieta earthquake. (190.13, 214.4)

Response. Traffic volume data provided by Caltrans does not support the assumption that traffic volumes have increased on I-580 near the project site since the Loma Prieta earthquake. Published traffic volume on state highways by Caltrans shows an annual average daily traffic volume (ADT) of 134,000 and a peak hour volume of 12,800 in 1988 on I-580 between Estudillo Avenue and Foothill Boulevard. The 1989

published data shows an ADT of 137,000 and a peak hour volume of 13,100.

Published data for 1990 is not yet available. However, preliminary "raw" volume data has been provided by Caltrans. The ADT on the same section of I-580 in 1990 was 127,000 or 7,000 trips less than in 1988. Peak hour volumes on this section of I-580 in 1990 were not available, however, they were available for a section of I-580 to the east. Based on these volumes, I-580 between Estudillo Avenue and Foothill Way had a peak hour volume of 10,700 in 1990.

Environmental Point F.53. (ABAG policy consistency.) The project is not consistent with ABAG transportation policies. (190.34)

Response. Page 170 of the RDEIR has been modified to make it clear that the project would not promote the policies of the Regional Transportation Plan which call for a reduction in reliance on the automobile as the primary means of transportation. Also please refer to the response to Environmental Point D.41.

Environmental Point F.54. (Golf Links connection impacts.) What impact would a through connection to Golf Links Road have on local circulation? (190.47)

Response. The RDEIR clearly and adequately discusses the impacts of a connection to Golf Links Road on pages 495 to 497.

Environmental Point F.55. (Traffic impacts on schools.) Why is it that the DEIR does properly admit to traffic increases on San Leandro streets due to trips to schools, etc., but does not examine traffic impact on the schools themselves. (197.2)

Response. The RDEIR describes safety impacts of traffic on schools on page 249, paragraph four, and recommends mitigation on page 267, paragraph eight.

Environmental Point F.56. (Dunsmuir House and Garden parking) The Transportation section on RDEIR page 251 indicates that the proposed 40-space parking lot at the foot of the project access road will facilitate commute bound transit use, then later says that parking needs would probably exceed the capacity of the proposed lot, resulting in significant parking impacts along Foothill Way. Back in the Land Use section, the RDEIR

states that the proposed Dunsmuir House roadway entrance modifications may be "beneficial." Also, commute period use will leave no spaces available for use by Dunsmuir House visitors. (197.7)

Response. The point clearly made on RDEIR page 251 is that the parking facility provides a means of facilitating transit use (i.e., park-and-ride), but may be too small to adequately provide for commute hour park-and-ride needs in combination with Dunsmuir House parking needs. In response to other related comments regarding the availability of parking along the Foothill Way extension for such park-and-ride and Dunsmuir House visitor parking needs, related parking mitigation recommendations on RDEIR page 265 ("Park-and-Ride Parking") have been revised to recommend design provisions for onstreet parking along the extension, an appropriate measure for an OCP-designated "collector street." With this measure, the proposed 40-space lot would not need to be enlarged. Please see response to related comment F.42 regarding the reference in the Land Use section to the possible benefits of the entrance modifications (RDEIR pages 140 and 141). The potential benefits remain valid.

Environmental Point F.57. (Traffic environmental impacts.) The RDEIR analyzes traffic impacts, but does not provide an environmental impact analysis of traffic. (198.2, 198.3)

Response. The methods of analysis of project impacts on the circulation system are clearly described on pages 218 through 222. The impacts that project-generated traffic may have on other areas of the environment (e.g., land use, population and housing, geotechnical factors, drainage and water quality, noise, air quality, etc.) are described in other appropriate chapters within section IV of the RDEIR, as indicated on page iv.

Environmental Point F.58. (Traffic count limitations.) The limited traffic count approach resulted in erroneous conclusions about intersection performance which could have been avoided by use of other existing information. (198.4)

Response. The RDEIR traffic analysis followed standard accepted professional practices which were approved by the staffs of the City of San Leandro and the City of Oakland. All relevant existing information was utilized in preparation of the analysis.

Environmental Point F.59. (1988 data used.) The analysis used 1988 data rather than 1990 traffic data. Supplemental counts taken in 1990 show increases in 32 locations during the peak hour (as high as a 278-car increase southbound on Bancroft at Dutton Avenue). (198.5, 214.6, 330.2)

Response. As described in the footnote on page 217 and on page 566 in Appendix C of the RDEIR, supplemental 1990 traffic counts were taken at several locations for comparison with 1988 counts. Although the new counts did differ from previous counts, overall they were consistent and did not change the RDEIR traffic impact findings or mitigation recommendations.

Environmental Point F.60. (Estudillo/Bancroft intersection.) The traffic analysis of the intersection at Estudillo and Bancroft does not accurately reflect existing left turn movement LOS from westbound Estudillo. (198.6, 325.2, 330.3)

Response. In response to this comment, an additional analysis of the westbound left-turn movement was conducted for a two hour period between four and six p.m. on Thursday, April 4, 1991. The analysis showed that during 91 signal cycles in the two hour period, there were 66 westbound left turning vehicles, eight of which were required to wait for a second cycle. This indicates that the previous intersection analysis was valid and that traffic conditions at this intersection do not warrant further study.

Environmental Point F.61. (Intersections omitted.) The RDEIR omits the major intersections of Davis Street and East 14th Street and Callan Avenue and Bancroft Avenue. (198.7, 214.5, 325.3, 330.4)

Response. Traffic counts for the intersections of Callan Avenue/Bancroft Avenue and Davis Street/East 14th Street were previously obtained from the City of San Leandro in April of 1989. The results are as follows: as of April 1989, the intersection of Bancroft Avenue/Callan Avenue was operating with a volume-to-capacity (V/C) ratio of 0.57 and a Level of Service A, indicating no delay during the p.m. peak hour (which is more critical than the a.m. peak hour). With the project and cumulative project generated traffic, this intersection would operate with a V/C ratio of 0.58 and a Level of

Service A, indicating no delay. The intersection of East 14th Street/Davis Street was operating with a V/C ratio of 0.65 and a Level of Service B, indicating slight delay during the p.m. peak hour. With the project and cumulative traffic additions, this intersection would continue to operate with a V/C ratio of 0.65 and a Level of Service B, indicating slight delay.

Environmental Point F.62. (Weekend traffic impacts.) The RDEIR dismisses weekend traffic impacts. The document should include a weekend peak hour distribution and traffic impact analysis. (198.8, 330.5)

Response. Traffic counts were conducted at three key locations to determine the level of traffic on weekends compared with weekdays. The locations included Estudillo Avenue, west of MacArthur Boulevard; Dutton Avenue, east of Bancroft Avenue; and MacArthur Boulevard, north of Estudillo Avenue. On Estudillo Avenue, the traffic on Saturday was approximately 78 percent of the weekday traffic, while traffic on Sunday was 58 percent of the weekday traffic. On MacArthur Boulevard, the traffic on Saturday was approximately 88 percent of the weekday traffic, while traffic on Sunday was 73 percent of the weekday traffic. On Dutton Avenue, the traffic on Saturday was approximately 90 percent of the weekday traffic, while traffic on Sunday was 78 percent of the weekday traffic. The peak hour traffic volumes at all of these locations were also consistent with the above percentages. These percentages indicate that the traffic analysis was sufficient in analyzing the more critical peak weekday traffic impacts.

Environmental Point F.63. (Mitigations difficult/impossible.) Several mitigation measures are extremely difficult, if not impossible to implement, and should be thoroughly discussed with the appropriate parties before proposing them in writing. (198.9, 330.6)

Response. The mitigations recommended in the RDEIR have received minimal comment from both City of Oakland and City of San Leandro staffs. All comments received have been satisfactorily addressed. It should be noted that the mitigation to the intersection of Foothill Boulevard/MacArthur Boulevard/Superior Avenue (one of the most complex mitigation solutions) was supported by the City of San Leandro in a

letter dated February 24, 1989 from Martin Vitz (Planning Director of San Leandro) to the City of Oakland.

Environmental Point F.64. (MacArthur/Estudillo intersection mitigation vague.) The presentation of the mitigation measure for the MacArthur and Estudillo intersection is vague. Figure 50 does not illustrate property lines on existing structures. How can this mitigation be accomplished without moving a shopping center? (198.10, 215.4, 235.9)

Response. The RDEIR recommends that either an eastbound left-turn lane on Estudillo or alternately, an eastbound exclusive right-turn lane on Estudillo, be added. In a letter to the City of Oakland, dated March 13, 1991, from Steve Weinberger, P.E., Senior Traffic Engineer at TJKM (which has been added to RDEIR Appendix C in section II of this document), it was explained that although the existing design conditions at the intersection have changed due to a lane reconfiguration (resulting in improved level of service) since the original mitigation recommendations were made, mitigation of cumulative impacts of the project are still recommended. The RDEIR has been revised to exclusively recommend a mitigation alternative creating an eastbound right-turn lane only on the south side of Estudillo. This change has been made to the RDEIR text and Figure 50 has been revised accordingly. This mitigation is an improvement which is also recommended by the San Leandro city staff in that city's Master Plan of City Streets, February 9, 1988. The plan acknowledges that this improvement would affect the adjacent shopping center.

Environmental Point F.65. (Flawed theory.) The traffic impact analysis is based on the discredited theory that "demand requires more capacity." (205.5)

Response. The comment is inaccurate. The methodology used in the traffic analysis is standard accepted professional practice used by the City of Oakland in the analysis of project-specific EIRs.

Environmental Point F.66. (Improvement cost responsibilities.) The DEIR does not address the costs of proposed mitigations in the context of any willingness to pay directly for "improvements." (205.6)

Response. The mitigation measures recommended in the RDEIR were selected on the basis of their ability to mitigate identified project and cumulative impacts and on their feasibility. RDEIR section IV.C.4 describes those mitigation measures which are solely the responsibility of the developer beginning on page 261. Any required mitigations which are necessary to offset the impacts of cumulative development and which would be funded through a fair share contribution approach are described in RDEIR section IV.C.5.

Environmental Point F.67. (Access road length and steepness.) The new preferred Dunsmuir Heights access road is long and steep compared with other access roads in the area. (210.1)

Response. The design and safety aspects of the access road and the relationship of its gradients and other design aspects to City standards are addressed throughout the RDEIR, including pages 105, 229, 231, 232, 263, 471, 472, 473, 474, 476, 477, 480, and 481.

Environmental Point F.68. (Crossing guard costs.) Which city, county, or school district should pay for the provision of additional crossing guards at the MacArthur Boulevard/Dutton Avenue, the Dutton Avenue/Bancroft Avenue, and the Dutton Avenue/East 14th Street intersection? (78.14, 167.8, 215.1, 326.1)

Response. The additional crossing guards would be funded by the county or by the school district in which they are located (i.e., San Leandro). (Crossing guard costs in San Leandro have been covered by the county in the recent past.) Note that the RDEIR does not specifically recommend that the applicant should fund this mitigation measure because the level of additional safety hazard caused by project generated traffic at these locations was not determined to be significant.

Environmental Point F.69. (Crossing guard needs.) Why is there no crossing guard recommended for the Estudillo/MacArthur intersection? (215.2)

Response. No new crossing guards were recommended for the Estudillo/MacArthur intersection because no significant adverse safety impacts to school children due to the project or cumulative development were identified at this intersection.

Environmental Point F.70. (Ramp improvement responsibilities.) Which city is responsible for the proposed mitigation measure to provide an exclusive left-turn lane from the I-580 northbound offramp. (215.3)

Response. The RDEIR addresses the distribution of mitigation responsibility for this intersection on page 269. The project would be responsible for its contribution to the problem, while the City of Oakland would be responsible for the correction of existing deficiencies.

Environmental Point F.71. (Table 14 note.) The note on Table 14 should be included in the text. (236.2)

Response. In response to this comment, the information in the note on Table 14 has been added to the RDEIR text on page 243.

Environmental Point F.72. (Figure 49 reference.) Where in the text is reference to Figure 49 on page 273? (236.3)

Response. The text reference to Figure 49 is on page 266, paragraph five.

Environmental Point F.73. (MacArthur/Estudillo intersection impacts.) Explain and justify why the diversion of traffic away from the MacArthur Boulevard/Estudillo Avenue intersection would occur. How much traffic would be diverted during a typical A.M. and P.M. peak hour? (236.4)

Response. The existing circulation system requires traffic with destinations on I-580 to the south to travel to ramp locations to the south. Outbound from the project, traffic would travel from Foothill Way to Dutton Avenue to MacArthur Boulevard, past Estudillo Avenue, and past Dolores Avenue to the on-ramp on Grand Avenue. Inbound to the project, traffic would travel from the off-ramp near Joaquin Avenue to

MacArthur Boulevard, past Estudillo Avenue, to Dutton Avenue and Foothill Way to the project. The improvement at the MacArthur Boulevard/Foothill Boulevard/Superior Avenue intersection would allow traffic to have a safe and direct access to I-580 at the Foothill Boulevard ramps. The diversion of traffic from the routes described above would be 136 trips during the a.m. peak hour (105 southbound, 31 northbound) and 169 trips during the p.m. peak hour (60 southbound and 109 northbound).

Environmental Point F.74. (Shuttle merits and costs.) What are the merits and estimated costs of a project sponsored shuttle to carry project residents to and from the transit stop? (236.5)

Response. A shuttle service, depending on the circulation within the project, may increase transit usage by a small percentage. Its most significant impact would be in reducing parking needs near the intersection of the Foothill Way-Peralta Oaks Drive extension and Dunsmuir Heights Road. A shuttle service would cost approximately \$1,000 to \$2,000 per month, not including capital costs in today's dollars.

Environmental Point F.75. (MacArthur/Foothill/Superior intersection.) Analysis of the MacArthur/Foothill/Superior intersection does not appear in Table 18. Table 15's analysis of this intersection appears to have a line switched. Clarify on page 269 whether proposed mitigations are project-related. (236.6)

Response. To mitigate project impacts on road safety, signalization of the intersection is recommended on RDEIR page 269. Thus, because the RDEIR assumes that the intersection would be signalized in the cumulative scenario, it is not necessary to include a non-signalized analysis of this intersection in Table 18.

In response to this comment, the necessary corrections to Table 15 have been made.

The proposed mitigations are made necessary by existing conditions, project impacts, and by cumulative impacts to the intersection.

Environmental Point F.76. (Peralta Oaks/106th intersection impacts.) The installation of stop signs on both of the 106th Avenue approaches to the Peralta Oaks Drive intersection

could significantly increase the evening peak hour level of service and, in combination with the road reconstruction, could increase traffic safety. (164.1, 316.2)

Response. Although a three-way stop at Peralta Oaks and 106th is not necessary to mitigate project impacts to less than significant impacts, this measure would also mitigate the delay to the northbound approach. The projected traffic volumes may also meet Caltrans warrants for a multi-way stop. However, it would also add delay to the major traffic movements on 106th Avenue. It would be beneficial to obtain comments from Caltrans on this mitigation since the fourth leg is an on-ramp to I-580.

Note: This Final EIR also includes an analysis by TJKM Transportation Consultants of the traffic impacts of the project without the extension. That impact analysis, and related mitigation needs, is included in RDEIR Appendix C in section II of this document.

Environmental Point F.77. (San Leandro road gradients.) The DEIR should not utilize steep roads approved several years ago in San Leandro as a standard of comparison for project access roads. (54.B.6)

Response. The RDEIR recommends on page 263 that the project primary access road be redesigned to include one of three alternatives. The gradients of alternatives would not exceed 15 percent and would be in compliance with City of Oakland standards.

Environmental Point F.78. (Traffic increase mitigations.) The RDEIR does not explain how increased traffic would be addressed. The safety impacts of traffic increases on children is completely unaddressed. (96.3)

Response. Mitigation for traffic-related impacts are described in the RDEIR on pages 260 through 276. The identified impacts of traffic increases on road safety (including impacts on pedestrians) are described on RDEIR pages 249 and 250. Recommended mitigation measures to offset these impacts are described on RDEIR pages 267 and 269.

Environmental Point F.79. (Construction traffic.) There should be specific routes and times assigned for equipment and supply vehicles to service the site during construction. (98.53)

Response. The level of specificity provided in the RDEIR on page 272 for construction period traffic impact mitigation is adequate.

Environmental Point F.80. (Park-and-ride lot ineffective.) The proposed parking lot at the base of the project would be inadequate and ineffective. Project traffic impacts on San Leandro residential streets will be significant. Artificially created standards are based on averages and do not always apply. (98.56)

Response. The proposed parking lot is necessary to accommodate visitors to the Dunsmuir House and Gardens. Because most events would be on weekends and evenings the lot would be available for park-and-ride use. The RDEIR recommends that this opportunity for trip reduction be included as part of the project; however, it does not assume a specific level of success in its analysis of traffic impacts.

The RDEIR utilizes accepted professional traffic impact analysis techniques to evaluate potential project impacts on all relevant road links and intersections, including those locations in San Leandro which could be affected by the project. The results of this analysis are described on RDEIR pages 226 through 260.

Environmental Point F.81. (Freeway impacts unacceptable.) In light of existing levels of traffic volumes on the freeway, adding 4,827 vehicle trips per day without public transit to meet this impact should not be acceptable. The project is not consistent with OCP policies relating to location of housing near BART and major bus routes. (165.21)

Response. Comment noted. Evaluation of the project with respect to OCP transit policies are included in the RDEIR on page 278.

Environmental Point F.82. (San Leandro General Plan consistency.) The San Leandro City Council will not appreciate being told that traffic which adversely affects the liveability of

their residential streets is in conformance with the policies of the San Leandro General Plan. (197.6)

Response. The RDEIR states (on page 249) that the project would result in noticeable traffic increases on various arterial and collector streets, some of which are lined with residential land use. However, the RDEIR also concludes that no significant increases in traffic would occur on streets designated as local residential streets by the City of San Leandro General Plan.

Environmental Point F.83. (Emergency access impacts) Concern has been expressed regarding use of the Cranford Way emergency access gate. Who is going to ensure that the gate is not pulled open or broken? An exit on demand feature would not be acceptable; the gate should be locked from the inside and only be accessible with a key. (317.4, 319.1)

Response. The Dunsmuir Heights homeowners association would be responsible for maintaining the emergency access gate. While the commenter states that the exit-on-demand feature would not be acceptable due to concerns about traffic, the City Police and Fire Departments require such gates to have exit-on-demand features for public safety reasons. Please refer to the response to Environmental Point F.25 and pages 230 and 231 of the RDEIR regarding additional project traffic that would use this route without a gate and with an exit-on-demand feature. The response to Environmental Point F.25 also includes a discussion of techniques to reduce usage of this access by project-related traffic.

Environmental Point F.84. (Traffic mitigation not explained.) The RDEIR fails to adequately explain how increased traffic will be mitigated. (322.1)

Response. Mitigation for all identified significant traffic impacts is adequately described in the RDEIR on pages 260 through 277.

Environmental Point F.85. (Concentrated traffic impacts.) Traffic impacts will be concentrated at just one access point to the project. (322.2)

Response. The fact that there is only one access point is not a concern from a traffic operational perspective under normal traffic conditions, as long as volumes do not exceed road system capacities. A single access can be a problem during an emergency, however, which is why the RDEIR recommends that a second emergency access road be added to the plan.

Environmental Point F.86. (Estudillo Avenue width constraints.) There is not sufficient room at the intersection of Estudillo Avenue and MacArthur Boulevard to construct the recommended eastbound right turn lane. (325.1, 353.2)

Response. The recommended mitigation is an improvement which is also recommended by the San Leandro City staff in the City's Master Plan of City Streets, February 9, 1988. That city's plan acknowledges that this improvement would affect the adjacent shopping center. Please see response to Environmental Point F.64.

Environmental Point F.87. (Shopping patterns.) Downtown San Leandro is where project residents would be doing most of their shopping. This area is already congested. (325.4)

Response. The RDEIR traffic analysis trip distribution assumption acknowledges that the residents of the project would do most of their shopping in San Leandro. These assumptions have been included in the traffic impact analysis on RDEIR pages 226 through 260.

Environmental Point F.88. (Foothill Way constraints.) Foothill Way is too narrow to accommodate the estimated 6,000 automobile trips per day which would travel that road after completion of the project. (325.5)

Response. As stated on RDEIR page 240, the project related increase in daily trips on Foothill Way would be well within the anticipated design capacity of the route.

Environmental Point F.89. (Marlow/Foothill intersection dangerous.) The Marlow Drive/Foothill Way intersection is dangerous at dusk. (325.6)

Response. Comment noted. As with many intersections, there would be some potential safety hazards at dusk; however, from an operational standpoint, the intersection of Marlow Drive and Foothill Way would remain at LOS A after completion of the project, as shown on Table 15.

Environmental Point F.90. (Quarry project impacts.) The RDEIR is incomplete; it doesn't address the traffic impacts of the San Leandro quarry development. (335.1)

Response. This comment is incorrect. As shown on Table 17, development of the quarry site has been considered in the analysis of cumulative project impacts.

G. COMMENTS ON RDEIR SECTION IV.D: GEOTECHNICAL AND GRADING FACTORS

Environmental Point G.1. (Geologic map unclear.) The geologic map on page 282 is hard to read. (167.45, 167.F.2, 167.F.9)

Response. The map in question was photographically enlarged from a scale of 1:62,500 to 1:24,000. If the map is difficult to read, the problem rests with suitability of the USGS map for photographic enlargement. In response to the comment, a portion of the USGS map has been redrafted on a clean topographic base map. (See revised Figure 51.)

Environmental Point G.2. (Bedrock conditions.) RDEIR page 291 says bedrock formations "pervasively fractured and sheared." Does pervasive mean "deeply"? (192.7)

Response. "Pervasive" is considered in this context to mean extensive.

Environmental Point G.3. (Inconsistencies in geotechnical work.) There are inconsistencies in the data used to complete the geotechnical chapter; the depth of the various studies is not consistent, the data is not reliable (e.g., 5-ft. displacement in the 1987 CDMG report); the importance of the Hayward fault is understated. (209.40)

Response. Please see responses to Environmental Points G.39, G.40, G.51, G.76, G.79, G.119, and G.122.

Environmental Point G.4. (Only selected reports relied upon.) The geotechnical analysis relied heavily on Purcell, Rhoades & Associates (PRA) studies and excluded all other studies except Terratech 1080G and Cluff (1990). A bibliography should be included to indicate which reports were reviewed and which were not. Findings from significant site-specific geologic reports prepared for others were not included or not fully disclosed. All Terratech reports should be reviewed. (165.22, 206.1, 206.5, 206.6, 206.7, 206.8, 206.28, 303.2)

Response. In response to this comment, a list of the reports reviewed by Darwin Myers Associates (DMA), the EIR geologist, has been included in the RDEIR Appendices includes as new Appendix K: Supplemental Geotechnical Information. The DMA list includes 14 reports which is a blend of published and unpublished sources. The RDEIR provides an overview of pertinent reports. Because the previous investigations were a point of departure for the Purcell, Rhoades & Associates study, and because the PRA report provides the most current criteria and standards to guide site development, primary emphasis has been placed on review of the reports of Purcell, Rhoades & Associates. PRA used the previous reports as a point of departure for their investigation. For example, PRA investigated areas of suspected landsliding and faulting. The purpose of the PRA exploration was to obtain sufficient additional data to establish the significance of the potentially hazardous areas delineated by previous consultant reports and/or government publications.

The RDEIR is an information document for reviewing agencies to review environmental impacts. Inasmuch that prior data was superseded by more recent and detailed information and that there was concurrence from the prior investigator (Terratech) that there were no active faults crossing the proposed development area, there would not be a valid reason for more detailed use of prior feasibility studies and other superseded work beyond that presented in the RDEIR.

Environmental Point G.5. (Terratech Report 1080G.) Contrary to what RDEIR page 281, Terratech report 1080G was not prepared for the applicant. (206.4)

Response. Comment acknowledged; RDEIR page 281 has been revised accordingly.

Environmental Point G.6. (Emergency access/main access too close.) The proposed main access road and emergency access road egress points are too close together, and would be susceptible to the same impacts. (338.2)

Response. The RDEIR fully acknowledges this impact potential and calls for another emergency-only or through access connection easterly to Golf Links Road.

Environmental Point G.7. (Consistency with OCP policies.) The RDEIR states that the project would be inconsistent with OCP policies regarding the need to relate urban development sensitivity to the natural setting (OCP p. 153), avoidance of construction over known faults (OCP p. 153), special efforts to conserve open space and natural resources (OCP p. 153), use of lands subject to severe seismic and geologic hazards for low intensity park, recreation, and open space uses (OCP p.156), discouragement of development involving significant alteration of land forms or surface conditions on slopes greater than 30 percent (OCP p. 283), etc. (168.2, 197.9)

Response. Comments correctly cite the RDEIR findings.

Environmental Point G.8. (Swales.) There are no swales on the project site. The swales mentioned on page 297 of the RDEIR are actually oak-filled canyons ranging in depth from 20 to over 100 feet. (192.23)

Response. As defined by common usage and as the RDEIR describes, there are "swales" on and adjacent to the site. The comment has no bearing on RDEIR adequacy.

Environmental Point G.9. (Phasing of grading.) Project construction will take five to six years, yet all grading will be done in phase 1, leaving hillsides denuded and without suitable landscape in some areas for over six years. This is unacceptable and must be mitigated. (98.3, 98.34, 304.4)

Response. The applicant proposes rough grading during Phase 1, but final grading of lots would be done phase-by-phase. Please see RDEIR page 114. The RDEIR on pages 332 and 333 specifically stipulates erosion control plan revegetation measures to mitigate the impacts of Phase 1 rough grading.

Environmental Point G.10. (Grading description inadequate.) Figures 19 and 58, the project grading diagrams, are difficult to read and understand by laymen. A scale model should be provided indicating proposed grading, vegetation removal, and revegetation plans. (118.2)

Response. Figures 19 and 58 are intended to provide a diagrammatic, annotated indication of the general extent of proposed project grading. (Figure 19 is essentially the same as Figure 58.) The maps represent a reasonably clear depiction of a complex grading program, and is adequate for EIR information purposes. As indicated on Figure 58, a full-scale version of the proposed Preliminary Grading Plan (1"=200') is available for public review at the City of Oakland Planning Department. The suggested model would be beyond the scope of, and inappropriate for, a general-circulation EIR.

Environmental Point G.11. (Access road grading impacts.) No mention in RDEIR that the hillside underlying the proposed road is unstable (as indicated in Geomatrix Consultants, Inc. report). Retaining walls will be inadequate. One million cubic yards of unstable fill proposed to build the access road will "come crashing down on Sheffield Village." The RDEIR needs to address the issue of slope stability for portions of the access road that pass through identified weak rock types (serpentine rock, rhyolite, etc.), especially during seismic events, periods of saturation, and seismic events occurring within periods of saturation. The RDEIR includes contradictions regarding the stability of rock conditions along the proposed roadway alignment; page 304 says "hard rock conditions" would reduce potential damage impacts, pages 33 and 291 say that rhyolite in the vicinity is "pervasively fractured and sheared" and proposed cut slopes may not be sufficiently stable in areas containing sheared serpentine rock and weak rhyolite and that gradients of 2:1 may not be stable in areas containing highly weathered bedrock or silty, weak shale. RDEIR page 305 states that slope failure in weak rhyolite locations could result in significant damage to the access road, "a significant adverse impact." It then notes that "existing cuts in the rhyolite bedrock between some lots on Revere Avenue appear to be performing well (although some residents have reported some backyard debris." When has the debris been a problem for Revere Avenue homes? After wet, rainy periods or earthquakes? (175.2, 175.3, 175.4, 190.15, 190.16, 190.17, 190.48, 192.25, 225.11, 273.2)

Response. The RDEIR discusses slope stability conditions related to the project access road, proposed access road design characteristics, and associated adverse impact potentials on pages 283, 284, 291, 296, 297, 298, Figure 58, 302, 304, and especially 305 and 306. The rock on the site consists chiefly of Leona Rhyolite. It presents generally good foundation conditions and performs well on steep slopes. However, rock is not isotropic and homogeneous. Severely weathered or highly

sheared rock could be present locally, which would require special treatment. The RDEIR provides recommendations for such areas on pages 33 and 311.

Highly sheared or deeply weathered rock conditions probably exist where the Hayward fault crosses the site, and they are known to exist along the lineaments mapped by Terratech on the project site. They may also exist in other portions of the site. Localized areas of "soft" rock are not unusual or unexpected. No matter where and how intensively the site is analyzed, the variability of the rock will not be fully known until grading operations are underway. The earthwork is proposed to be supervised by representatives of the geotechnical engineer to ensure grading conforms to recommendations in the geotechnical engineer's reports, and that exposed conditions were those that were anticipated. Special precautions are and would be incorporated into the grading where they are deemed necessary. Changes made in the field would be documented in progress reports/final grading report.

The RDEIR presents a range of available, pertinent information, and clearly comes to the conclusion (pages 305 and 306) that there are slope stability risks that "could result in significant damage to the hillside access road" and which "would represent a *significant adverse impact*."

Also see response to Environmental Point G.15 regarding potential serpentine bedrock impacts. Regarding the likelihood of one million cubic yards of access road fill debris "crashing down on Sheffield Village," the RDEIR indicates on pages 108 and 297 that up to 200,000 cubic yards of cut and fill would be involved in constructing the hillside access road. The RDEIR then notes on page 306 that failure of one or more of the proposed ravine fills along the project access road "during an earthquake or a severe rain"... "could create nuisance problems and significant impacts for some rear yards along Cranford Way, Revere Avenue, and Marlow Drive below." On the same page, the RDEIR also states that "failure of either of the two retaining walls" along the lowest reach of the proposed access road due to a severe seismic event or storm "would not be expected to have significant offsite impacts, but could result in significant damage to the project access road or to the cul-de-sac and the project residence in the northeast corner of the site."

The REIR statement on page 305 quoted by the commenter that "steep cuts in the rhyolite bedrock behind--Revere Avenue--appear to be performing well" has been taken out of context. The RDEIR goes on to state in the same paragraph that "nevertheless,...if not properly engineered and constructed, these cuts could create significant erosion and landslide impacts on properties below."

The RDEIR is clear with respect to its findings in regard to slope stability and the hillside access road, including the proposed retaining walls, especially on pages 305 and 306; i.e., that potential significant adverse slope failure impacts could occur as a result of a severe seismic event or storm. In this light, the RDEIR on pages 311, 312, 313, 314, and 315, identifies a number of feasible mitigation measures to reduce the likelihood of a significant slope failure impact, including provision of an adequate secondary access. The RDEIR impact and mitigation discussion for the hillside is clear and adequate.

The question of when debris was a problem for Revere Avenue homes would not bear on the conclusion already made in the RDEIR; i.e., that potential slope failure impacts could occur.

Environmental Point G.12. (Alternatives to Figure 59.) Figure 59 on RDEIR page 301, Relative Magnitude of Proposed Grading, is "a stupid figure." Project grading can be illustrated in other, more effective ways. The figure is "extremely deceptive" because it does not show scale, and should be deleted from the EIR. (192.27, 235.19, 235.27)

Response. Comment noted. Figure 59 has been included in the RDEIR in response to an earlier comment on the 1988-1989 Draft EIR. Figure 59 provides a clear and helpful illustration of the relative scale or order-of-magnitude of the proposed grading plan. The figure is not to scale, as clearly indicated on the exhibit, but is proportionally correct.

Environmental Point G.13. (Terrace widths.) RDEIR page 313 includes a recommendation to increase drainage terracing widths to 12 feet on cut slopes greater than 60 feet in height where such terracing will not result in a significant visual impact. The project geotechnical consultant recommends 6-foot wide terraces at 25 foot intervals, which

exceeds the UBC guideline of 6-foot terraces at 30 foot intervals. The applicant's engineer comments that there is no basis for the 12-foot terracing recommendation; many narrower terraces over a shorter slope height would provide better drainage, erosion protection, and overall stability. (167.9, 167.A.6, 167.E.1)

Response. Comment noted. Where cut-and-fill slopes exceed 60 feet in vertical height, additional location-specific review by the project geotechnical engineer and an independent (city-retained) geotechnical engineer should be undertaken as grading plans are finalized to determine whether additional slope retainment measures will be warranted (retaining walls, wider terraces, etc.). RDEIR page 313 and associated summary provisions in RDEIR section II have been revised to incorporate this refinement.

Environmental Point G.14. (Terracing widths and visual impacts.) The preliminary grading plan includes 6-foot wide drainage terraces at 25-foot intervals on the slope overlooking the Sheffield Village neighborhood (RDEIR page 298). What is the visual impact of these terraces? How effective will planting be in reducing their visual impacts? RDEIR page 312 calls for bench excavation into stable bedrock as a means of stabilizing ravine fills. The roadway is proposed to be blasted out of bedrock. Please describe the visual and habitat impacts of this additional material removal. (170.4, 192.26, 192.34)

Response. As suggested on RDEIR page 298, the drainage terraces recommended by the applicant's geotechnical consultant would have visual impacts which would be inconsistent with the project architect's stated goal of a natural-appearing grading result.

The terraces would be visible from Sheffield Village viewpoints. Proposed project landscape plan revegetation provisions would reduce but not eliminate the impact. However, the alternative roadway design recommended for visual impact mitigation purposes in section IV.B.3 and V.D of the RDEIR (see pages 206, 486, Figure 77 and 489) would reduce or eliminate the need for drainage terracing. In response to this comment, RDEIR pages 206 and 489 have been revised to stipulate that the single-access-road-with-crib-walls design should be finalized to exclude unnatural appearing drainage terraces. The project geotechnical engineer states that explosives will not be

used to "blast the roadway out of bedrock." The proposed benches into stable bedrock (RDEIR page 312) would be subsurface, would be covered with fill material, and thus would not be visible.

Environmental Point G.15. (Serpentine soils.) The RDEIR notes on page 33 and elsewhere that the project access road is aligned through areas which contain serpentine rock. Serpentine samples found on the nearby Fairmont Ridge site contained natural occurring asbestos. The possible release of natural-occurring asbestos dust and fibers is not addressed in the RDEIR. (93.55, 190.15, 190.17, 190.51, 190.55, 276.1 through 276.8, 344.1)

Response. As shown on revised Figure 51, the westernmost segment of the main access road traverses an area underlain by serpentine bedrock. The remainder of the property is in the outcrop belt of Leona Rhyolite and Franciscan Assemblage sedimentary/metasedimentary rocks. The composition of minerals in serpentine is variable, but the EIR geologist concurs with the comment that some asbestos may be present.

It is expected that any asbestos hazard associated with project road grading operations and associated serpentine rocks would be insignificant. A detailed study of the asbestos impacts associated with excavation of serpentine soils was recently conducted by Santa Clara County for the Guadalupe Corridor Transportation Facility in the South Bay. This proposed extensive grading program involved substantially greater disturbance of serpentine soils than would the project. The study found that "the public health risks from the excavation of serpentine from Communication Hill for the Guadalupe Corridor project are insignificant." A review of these findings by the EIR geotechnical consultant indicates that any project-related disturbances of onsite serpentine soils would result in substantially less asbestos release potential than would the Guadalupe Corridor project.

Environmental Point G.16. (Settlement of fill slopes.) What is the potential for settlement and differential settlement of project structures which are founded on fill, including earthquake-induced settlement (fill does not respond to seismic shaking the same as bedrock)? Fill depths of 70 feet would take a long time to fully consolidate. When will

settlement be complete; how much settlement is expected? (192.8, 192.10, 192.11, 192.12, and 192.13)

Response. RDEIR page 298 indicates that the depth of engineered fill would be as deep as 60 feet along the access road, and up to 70 feet deep within certain residential areas. PRA states that the maximum 70-foot fill thickness will have consolidated predominantly during its construction and prior to any home development, and that a consolidated fill would not have noticeable earthquake induced settlement.

Nevertheless, RDEIR page 306 describes potentials for differential settlement impacts, and indicates that even with properly compacted fills, fills of such depth could still be subject to differential settlement, with *significant impacts* due to related damage to project structures, roads, and utilities. The same section also states that "such variations in [fill] thickness could result in extensive cracking and differential settlement of foundations, also resulting in significant impacts." RDEIR page 312 includes a description of specific measures which should be incorporated in the project grading plan to mitigate these settlement impacts, including ongoing settlement monitoring, delay of project construction phases on ravine fills until the final phase of the project, or alternatively, elimination of ravine fills from the upper portion of the site. Data on the anticipated rate of settlement was considered beyond the scope of an EIR geotechnical analysis; such data would not significantly change the mitigation requirements described. Please also see response to Environmental Points G.19 and G.43.

Environmental Point G.17. (Effects of a seismic event on fill.) How will homes placed on 80 feet of fill withstand a major seismic event; how would roads perform? (190.50)

Response. The fill will be compacted, but minor settlement could occur. Provided the thickness of fill is relatively consistent under a particular building, the structure would not experience differential settlement. The performance of buildings on engineered fill should be very similar to buildings sited on bedrock. Structures that are sited partly on cut and partly on fill would be more vulnerable to damage than buildings on thick fill. Please see response to Environmental Point G.11 for road performance.

Environmental Point G.18. (Purcell, Rhoades and Associates report misquoted.) PRA comments that excerpts from their preliminary geotechnical report regarding setbacks from slopes are misquoted; PRA does not mandate that buildings should be set back a minimum of 10 feet from the top of graded slopes. Rather, PRA recommends a minimum setback of 10 feet from the shoulder of any slope over 15 feet high, unless the particular house and area have been reviewed and approved by a certified soils engineer for a shorter setback. (2.1, 2.2, 2.3)

Response. In response to this comment, RDEIR pages 302, 306, 313, and the summary have been revised.

Environmental Point G.19. (Incomplete and inadequate slope stability analysis.) The RDEIR is incomplete with respect to slope instability due to seismic shaking and/or weather conditions. What impact would weather or a major seismic event have on hillside stability? (222.17, 234.11, 234.12, 273.2)

Response. The proposed drainage concept for the project is designed to prevent runoff from graded and developed areas from flowing down fill slopes in the form of sheetflow. Moreover, the proposed grading plan indicates that drainage terraces would be provided at 25 foot vertical intervals; subdrains would be installed as directed in the field; and fills which are toed out on slopes steeper than 5:1 are to be keyed into competent, in situ material. With these precautions, saturation of fill is not expected to be a problem. Any significant displacement along the Hayward Fault in bedrock can be expected to propagate through the fill to reach the surface. The fill would not liquefy and flow down slope into the existing neighborhood.

Environmental Point G.20. (Figure 54, USGS map, used inappropriately.) Figure 54, USGS Landslide and Special Studies Zone map serves a purpose which has not been disclosed in the RDEIR. Geologic precautions will be required everywhere. What precautions must be taken where slides have been found in the past? How can the project be evaluated for real impacts when most of what needs to be done is not known at present, and will not be known until well after the EIR has been finalized? RDEIR page 284 implies that Figure 54 was prepared specifically for the site in the 1960s; however, the map reference indicates "Nielsen, 1975." The correct reference is suggested by the

comment: "Nielsen, T., 1975, Preliminary Photointerpretive Map of Landslide and Other Surficial Deposits...USGS Open File Report...Scale 1:24,000." As can be seen, this reference is for photointerpretations only, for a large regional study and can hardly be viewed as site specific. (167.46, 167.A.1, 192.2)

Response. Paragraph (1) on page 284 clearly states that Figure 54 was "prepared for the region" and that its "intended function" is to indicate "where special geotechnical precautions may be necessary prior to development." The paragraph says nothing about the map being site-specific. Nevertheless, in response to this comment the following note has been added to the end of this paragraph "(The map has prompted more recent site-specific investigations which are described on pages 295 through 297.)" The map preparation data cited on RDEIR page 284 has been changed from 1960 to 1975 in response to the comment. (The photos used to complete the map were taken in the 1960s; the map was completed in 1975.)

Environmental Point G.21. (Figure 55, USGS Map, used inappropriately.) Figure 55 misrepresents landslide risk at the project site. The project site boundary is inaccurately drawn on the figure, leading to the conclusion that the site is "generally stable to marginally stable," and omitting the fact that the map indicates that the eastern portions of the site are in the "unstable" category. Also, the EIR should not rely on USGS maps as a substitute for site-specific slope stability studies. The USGS map includes a disclaimer that reads "this map should be regarded as a general guide to regional slope stability. It is not intended to be a substitute for detailed site investigations which should precede any final planning decision." This disclaimer should be noted on all RDEIR maps where appropriate. Also, the figure is misleading because the scale is so large. The project is barely visible. The site should be more prominently shown. (234.1, 234.2, 235.11, 275.2)

Response. The intent of Figure 55 is to make broad comparisons, not to analyze specific sites. Figures 54 and 55 have been appropriately included in the RDEIR to provide the background context within which to evaluate the site-specific studies which have been completed by Purcell, Rhoades & Associates and others. This represents an appropriate use of these maps and common EIR and geotechnical study practice. The comment regarding the project boundary being incorrectly drawn is acknowledged. A drafting error resulted in misidentification of the correct site boundary. Figure 55 has

been revised in response to this comment, and the fact that Figure 55 indicates that the project site was placed in this USGS study within categories 3 *and* 5 (generally stable to marginally stable, *and unstable*) is described on revised RDEIR page 284. Because this general guide was followed by site-specific studies, and the RDEIR impact findings and mitigation recommendations are based on the latter, the revision to Figure 55 does not affect the RDEIR impact and mitigation findings.

Environmental Point G.22. (Mention of only one onsite landslide.) Figure 56, the PRA Landslide and Special Studies Zone Map, identifies only one slide. Why is it that the PRA report mentions only one slide, when USGS and others have found several slides? Why have the earlier findings been ignored? What process did PRA use to determine where slides were located? Did PRA look for slides in areas other than those suggested on the USGS maps? "Does anyone at City Hall really believe this map?" (192.3, 235.12)

Response. The subject Figure 56 is clearly labeled in the RDEIR as a PRA map. PRA states that the proposed project area was reviewed by PRA for landslide areas. The photointerpretive "slides" on the USGS maps were examined in the field by PRA. PRA states that the suspected "slide" areas identified by the USGS (see Figure 54) were found in the field to consist of topographic swales with slope creep and erosion areas, and not landslides. Please also see response to Environmental Points G.31 and G.32.

Environmental Point G.23. (Local landslide history map.) Two commentors have enclosed a USGS map that shows three (3) dots in the northeast portion of the Sheffield Village neighborhood. Each dot represents a small historic slide that resulted in damage to public or private property. (222.3, 275.3)

Response. The map indicates that the hillside is sensitive to grading and development. Even small errors in the grading process can adversely impact the stability of the proposed roadbed. Clearly, the site-specific geologic studies must be thorough, and the design of the road sensitive to geologic conditions.

Environmental Point G.24. (Local landslide history not mentioned.) The OCP includes hillside development precautions "born of experience," such as damaging earth movements

and slides in and around Hiller Highlands, Broadway Terrace, Thornhill, Snake, Colter, Saroni, Shephard Canyon, Chelton, Ascol, Scout Road, Crestmont, and Elysian Fields Drive, as well as other Bay Area Locations (Pacifica, etc.), over the past 30 years. This history is not mentioned in the RDEIR. (175.1, 197.10, 273.5, 275.4)

Response. Such historical information is consistent with the EIR findings with respect to project-related slope stability issues, and would not change the impact conclusions and recommended mitigations in the RDEIR. Nevertheless, the following sentence has been added to RDEIR page 284 in response to this comment: "A history of recorded incidents of damaging earth movement and landslides in Berkeley, Oakland, and San Leandro hillside areas has demonstrated the importance of proper hillside development planning and engineering."

Environmental Point G.25. (Analysis inconsistencies.) There are internal inconsistencies in the EIR geotechnical analysis with respect to slope stability. RDEIR page 305 says rhyolite bedrock behind some lots on Revere Avenue appear to be performing well. USGS maps show landslides that have caused damage to structures or have devalued land. The USGS map shows at least two landslides in the Revere/Marlow area. The discrepancy between the PRA findings and the USGS studies showing damaging landslides on the face of Dunsmuir Ridge represents an area of professional disagreement that needs to be discussed in the RDEIR. Slope stability impacts described on RDEIR page 478 seem more severe than those described elsewhere. (190.48, 190.49, 225.10)

Response. The USGS photointerpretive landslide map (Nilsen, 1975) is presented in RDEIR Figure 54. That figure shows four landslides on the site, and none in the Sheffield Village neighborhood. The study cited by the commentor was another USGS study which was based chiefly on review of slide and drainage complaints submitted to the City of Oakland, Alameda County, and other jurisdictions within the County. Some of the failures are relatively small, were repaired, or obscured by landscaping and development. In many cases, the problems reported are either manmade (e.g. by improper grading), or reflect a design that was insensitive to local geologic conditions. The small slides in the Sheffield Village neighborhood were not shown on the USGS photointerpretive landslide maps (Nilsen, 1975), so it is not surprising that they were not reported by Purcell, Rhoades & Associates. It should also be recognized that the

PRA study evaluated conditions on the Dunsmuir site, not the developed Sheffield Village lots.

Environmental Point G.26. (Disagreement among experts.) The existing geotechnical record is very tangled and ambiguities exist which are not reflected in the existing DEIR. The EIR authors need to be provided with all information available, including a current status appraisal, before they complete the RDEIR. Figure 56 on RDEIR page 290 shows only one landslide identified by PRA. The RDEIR must report other landslides identified in site specific studies by Terratech 1080 (1968), Levish (1969), Terratech 1080A (1969), and Carpenter (June, 1988). Terratech 1080A (1969) and Levish (1969) provide maps locating areas of landslide and soil slump. This is a disagreement among experts which must be disclosed in the EIR as required by CEQA Section 15151. (148.11, 234.3)

Response. These maps are part of previous reports on the site. Please see response to Environmental Point G.22 regarding Figure 56. Please also see responses to Environmental Points G.68, G.119, G.122, and G.123 regarding disagreement among experts.

Environmental Point G.27. (Landslide verification by CDMG.) Landslides found by USGS in the 1960s were not verified by USGS field visits, nor were they classified by activity status, depth of slide plane, or type of slide plane. Why? (192.1)

Response. Funding for these past USGS photointerpretive programs did not include field checking to verify if the suggested landslides actually existed or, if present, their actual depth and extent. However, the photointerpretive "slides" were examined in the field by the applicant's geotechnical engineer, PRA. Please see response to Environmental Point G.22. Information of depth and type of slide plane would not substantially change the EIR impact and mitigation finds regarding slope stability.

Environmental Point G.28. (Saturated fill slopes, seismic activity.) How would the proposed filled slopes perform in a rainy year when subjected to "very violent" groundshaking, or very violent groundshaking and surface rupture? (222.17, 234.10, 234.11, 234.12, 273.2)

Response. See response to Environmental Point G.19.

Environmental Point G.29. (Site landslides are mitigable.) Lloyd Cluff, the project earthquake consultant, states that his review of the project geologic and geotechnical evaluations revealed that some shallow landslides do exist; however, the proposed development and grading plan indicates that these existing slope instability areas would be removed or repaired. Assuming that these commitments are implemented, slope stability will not likely have a significant adverse impact. (167.F.15)

Response. Comment noted. The RDEIR impact and mitigation findings are generally consistent with this comment.

Environmental Point G.30. (Springs and slope stability.) The RDEIR should map the existence of springs and address their slope stability impacts. (222.18)

Response. As stated in section IV.E.1.e of the RDEIR, no springs have been identified on the site.

Environmental Point G.31. (Landslide origin.) The origin of landslides was not adequately identified. Are they bedding plane slides; does it matter if colluvium is removed? This must be determined. (235.15)

Response. Based on review of pertinent literature, field reconnaissance mapping, photointerpretation and site exploration, PRA mapped only one small slide on the site. Based on the height of the scarp and width of the slide, PRA determined that it was a shallow slide that could be removed and replaced with engineered fill. Shallow slides of this type involve mobilization of soil and colluvium (or very severely weathered rock) overlying firm rock.

Environmental Point G.32. (More detailed slope stability analysis needed.) The RDEIR analysis of slope stability impacts due to seismic shaking and wet weather conditions is incomplete. CDMG states that more detailed analysis of known landslides and potential landslides is needed. In addition concerns have been expressed about slope stability

(Carpenter, 6-6-88, 2-20-89, and 2-21-91) which have not been addressed. (222.17, 234.12, 271.1, 271.4, 273.1, 273.5, 275.5)

Response. The landslides identified in the RDEIR, Figure 54 were suspected slides based on photointerpretation. They were prepared as part of regional studies without the benefit of field verification. All of the published photointerpretive slides were field checked by engineering geologists from Purcell, Rhoades & Associates. Each was found to represent topographic swales with evidence of active mass wasting (e.g. soil creep and erosion), not landslide deposits. The site area consists intermittently of shallow and exposed bedrock, except for alluvium with topographic drainage areas, such as swales and canyons. For example, Purcell, Rhoades & Associates state that at a March 1991 field meeting with Rick Wilson of the California Division of Mines and Geology, one of the photointerpretive slide sites was observed and found to be a topographic swale with shallow bedrock exposed. Erosion was occurring in the swale due to uncontrolled, concentrated drainage from adjacent slopes (personal communication, Dean Affeldt of PRA).

As part of standard practice during construction, representatives of the geotechnical consultants, including engineering geologists and geotechnical engineers, are routinely present during all grading operations. These observations and testing services performed during grading include evaluation of cut slopes and all excavated areas to verify the removal of any soft soil or bedrock encountered; to evaluate the potential for any geologic feature encountered that may influence slope stability or relative seismic responses; and to verify that all fill placed is properly keyed into bedrock, drained of any potential subsurface water and compacted to the recommendations and specifications provided in the geotechnical reports for the project. Please also see responses to Environmental Points G.11 and G.19.

Environmental Point G.33. (Landslide repair costs.) There have been landslides in the area of the proposed access road (USGS maps). Landslide repairs on steep, winding hillside roads are expensive. Are there estimates of repair costs for hill area roads? Are these additional road maintenance costs included in the RDEIR? (228.68, 228.70)

Response. The Geotechnical Factors chapter of the EIR places particular emphasis on identification of potential slope stability impacts on the proposed hillside access road, and on identification of associated mitigation measures necessary to avoid such repair costs. The road is proposed as a private route. If approved as a private route, ongoing maintenance and repair costs would be a homeowners association or project-specific assessment district responsibility. No generic cost figures for repair to hillside access roads which would be useful to City decision-makers are known at this time. Mitigation measures for ensuring that project access and maintenance and repair costs will be an ongoing project responsibility, and not a city responsibility, are described on RDEIR page 315.

Environmental Point G.34. (Retaining wall failure.) Three retaining walls are proposed along the hillside access road behind homes in Sheffield Village. There are 30 homes directly below the access road which are vulnerable to damage if the road fails. A Geomatrix report for another site refers to the underlying bedrock type as unstable and prone to landsliding. What would happen to homes below if the retaining walls failed? State-of-the-art retaining walls have been constructed in the Ridgemont development. In spite of massive erosion below these walls, nothing has happened yet, probably due to lack of rain. The potential for slides, creep, etc., must be known before any retaining wall could be designed to withhold the filled canyon areas. To what standards will they be designed? Based on what lateral accelerations? What evidence is there to support the conclusion that engineered slopes and crib walls will withstand "very violent" groundshaking? (165.5, 175.1, 175.2, 175.3, 192.24, 222.1, 225.11, 234.10, 273.3)

Response. The natural slope here is very steep, but is performing satisfactorily at present. It is not a slide. The fact that rock is standing in a natural slope which is steep could be considered evidence that it is competent. However, as indicated in the RDEIR, there may be zones of sheared, severely weathered rock or saturated rock. Such areas will require special design features. Geologists routinely observe grading to ensure that exposed conditions are as expected; where "soft" zones are encountered, modifications to plans and grading are made in the field to accommodate the adverse conditions. Recommendations for retaining wall design have been provided in the PRA geotechnical reports for the site, which are referenced in the RDEIR (page 281). Crib walls are flexible and minor movement would not impair the

integrity of the wall. Within the fault zone, the wall would be disrupted by surface fault rupture. Outside the fault zone, the wall will be founded in stable rock or engineered fill that is keyed into rock. A crib wall represents a good choice for construction of a road on a steep bedrock slope that is subject to severe ground shaking.

Recommendations for retaining wall design have been provided in the geotechnical reports for the site.

Environmental Point G.35. (San Leandro and Hayward landslide experience.) Slide-related problems have been experienced in Bay-O-Vista, above Physicians Hospital, at Cal State Hayward, etc. These problems have not been mentioned in the EIR, damaging its credibility. (197.11)

Response. Thousands of buildings were developed along the trace of the Hayward fault with little or no knowledge of the fault's location, and many older buildings do not meet current UBC design standards. The proposed buildings in Dunsmuir will not be astride the fault, and they will meet all UBC standards. The fault is an unavoidable risk to the main access road, and the EIR therefore recommends requiring an emergency access road connection through the golf course to the east.

Environmental Point G.36. (Earthquake impacts generally overstated.) The applicant's earthquake consultant, Lloyd S. Cluff, states that earthquake risks to the project are overstated. The RDEIR text and maps might lead an inexperienced person to conclude that the project is likely to experience severe earthquake shaking that will result in major damage to structures, foundations, and underground utility lines. The current text results in a misleading impression.

A recently completed comprehensive study and analysis (USGS 1990) by the Working Group on Earthquake Probabilities (Mr. Cluff was a member of this group) concluded that the likelihood of a repeat of the 1906, magnitude 8.3 earthquake on the San Andreas fault during the next 30 years is less than two percent. The likely maximum earthquake during the next 30 years is a magnitude 7 along the San Francisco Peninsula segment of the fault. The likelihood of its occurrence during the next 30 years is 23 percent.

The likelihood of a magnitude 7.5 earthquake on the Hayward fault is extremely remote because it requires simultaneous rupture of both the northern and southern segments of the fault. The likelihood of this event occurring during the next 30 years is less than one percent. The likely maximum earthquake is magnitude 7 and its occurrence along the Hayward fault during the next 30 years is 23 percent along the southern segment and 28 percent along the northern segment.

Earthquakes of these magnitudes and locations will result in localized damage throughout the Bay Area. The intensity and extent of the localized damage is directly related to a number of variable factors, earthquake size, location, local geologic site conditions, building type, age, and quality of design and construction. The proximity to an active fault is not as important as other factors. With regard to the geologic conditions, the intensity of shaking can vary from violent shaking on soft geologic conditions to weak shaking on sites underlain by rock conditions. In other words, given a major earthquake on the Peninsula segment of the San Andreas fault located about 20 miles to the west of the proposed project, there will be localized strong to violent shaking throughout the Bay Area on sites underlain by soft clay and water saturated loose sand and gravel bay margin deposits (soft geologic site conditions). On sites that are underlain by sound rock geologic conditions, like the proposed project, the level of shaking will be comparatively weak. Well-designed and constructed buildings on rock sites will experience little or no damage.

Given a major earthquake on the northern segment of the Hayward fault located along the western portion of the proposed project, there will be localized strong to violent shaking throughout the Bay Area on sites underlain by soft geologic conditions, particularly those sites on reclaimed land near the margins of the bay, some of which may be located tens of miles from the earthquake. Rock sites throughout the Bay Area, including the proposed project, are expected to experience comparatively mild to weak shaking during the same earthquake.

These dramatically different site effects, due to local geologic conditions, were particularly evident during the Loma Prieta earthquake. The ability of structures and underground utility lines to accommodate these varying levels of shaking is dependent on their location, type, and quality of design and construction. With regard to buildings, wood-frame and light metal types of construction are the least vulnerable to damage from earthquake shaking.

Therefore, due to the fact that the proposed project is underlain by hard rock site conditions and the proposed buildings are single-family and townhouse wood-frame type construction, the damage from earthquake shaking is expected to be minimal when compared to other sites and types of construction. (167.47, 167.52, 167.F.1, 167.F.2, 167.F.3, and 167.F.4)

Response. Comments noted. The comments pertain to earthquake shaking and to related impacts on project residential development areas. The comments do not pertain to the risks to the main access road. A residential project underlain by non-engineered fill, landslide deposits, liquefiable sands, or younger Bay mud is more vulnerable to damage due to the combined effects of groundshaking and groundfailure than a bedrock site.

Environmental Point G.37. (Site conditions for earthquake shaking.) The applicant's earthquake consultant, Lloyd Cluff, states that, although generally the level of shaking does diminish with distance from the earthquake source (as described on RDEIR page 291), other factors such as site conditions and building type and the quality of construction have a greater influence on damage. (167.49, 167.F.6)

Response. The ABAG study cited on RDEIR page 304 supports this conclusion. The damage cost factor is lower for Class 1A structures, and the best ground conditions are solid bedrock. Please also see response to Environmental Point G.35.

Environmental Point G.38. (Cluff credentials questioned.) The applicant's earthquake consultant, Lloyd Cluff, does not design residential structures and is therefore not qualified to render a professional opinion on their performance. (192.22, 192.28, 192.29)

Response. Mr. Cluff is an internationally renowned geologist whose credentials and experience with residential structures and their behavior in earthquakes is extensive. Please see February 22, 1991 letter from Lloyd Cluff in new RDEIR Appendix K (errata section of this Final EIR).

Environmental Point G.39. (Applicability of 1987 CDMG report.) The applicability of the 1987 CDMG report to the project site is questioned. The report is a regional planning

document, not a site-specific engineering design manual. Far better site-specific geotechnical investigations are needed. No site-specific Hayward fault work was done for the RDEIR. Thus details of the Hayward fault were ignored. This is not adequate for a project of this size that will depend completely on the single access road over the Hayward fault. The CDMG (1987) report was not meant for site-specific design. A statement appears numerous times throughout the CDMG report that the conclusions are hypothetical and are not to be construed as a site-specific engineering evaluation. (209.20, 209.25, 209.26, 209.27, 209.28, 209.29, 209.30, 209.32, 209.40, 209.42, 234.2, 235.20, 339.5)

Response. The City of Oakland Office of Public Works determined that the investigations performed to date are adequate for the processing of the EIR. Further investigations are routinely required by the City as the application works its way through the planning process. The RDEIR includes recommendations for the scope and direction of those investigations (see RDEIR pp. 314-316).

The RDEIR is not intended to be a technical document that specifies or is responsible for the design of the subdivision. The EIR has an obligation to provide information on the setting of the site and analyze the environmental effects of the project. The Planning Commission will determine if the RDEIR, along with the comments and responses to comments in this document, provides sufficient information on the Hayward fault and its ramifications.

The comment does not recognize that geologic and geotechnical data is provided throughout the planning and construction process. Should the project be approved, work of the applicant's geologic consultant will not be completed until the last residence is constructed. Detailed design-level work normally follows project approval because the actual alignment may change during subsequent, post-EIR phases of the City's development review process.

The applicant has provided sufficient documentation of geologic conditions to allow the City to determine that the application was complete, and environmental review of the project could commence. After certification of the EIR, the Planning Commission will act on the proposed Preliminary Plan. The Commission at that time can impose

conditions of approval on the project to require a detailed fault hazard investigation prior to recording the final map.

Environmental Point G.40. (Earthquake shaking impacts inaccurate, downplayed.) RDEIR section on regional groundshaking potentials "is only words"; other studies indicate that the property could experience 0.7g as a result of a maximum credible earthquake (MCE) on the Hayward fault. Groundshaking potentials have been downplayed in the RDEIR; maximum acceleration levels will be incredible this close to a major event on the Hayward fault. Just because other houses already exist in the area of the fault is no reason to build more than could be destroyed in a major earthquake, especially where no emergency access may be possible. A site-specific MCE must be defined for the access road before the EIR is approved. Paragraph (3) on page 291 is misleading and false. It is not important what will happen below the alluvium, but what will happen on Dunsmuir Ridge. Will homes built to UBC specifications withstand 0.7g acceleration in a major earthquake along the Hayward fault? What would be the effects of this acceleration on rain-soaked ground, in inducing landslides, fill failure, settlement, and structural damage? The seismic hazards of a major earthquake on the Hayward fault cannot be overemphasized and are "grossly downplayed in the RDEIR." (209.8, 209.9, 209.10, 209.14, 235.13, 235.16)

Response. The RDEIR discussion on page 303, subsection C provides an adequate EIR description of the risks and costs of a large earthquake on the Hayward fault.

Regarding the suggested prohibition on any further home construction in the area of the fault, this is not a part of federal, state or local policy at present. The EIR notes that the damage cost factor for Class 1A buildings (woodframe residences) is 12 percent. Mr. Lloyd Cluff, the applicant's earthquake consultant, believes that conditions on the Dunsmuir site would substantially reduce impacts due to groundshaking. Specifically, the site, unlike the Bay Plain, is mantled by competent bedrock. Mr. Cluff's comments are paraphrased in the RDEIR (p. 304, para. 4). Please also see Environmental Point G.36.

The "Geotechnical and Grading" section of the RDEIR is 36 pages long and devotes considerable effort to commenting on and evaluating earthquake effects on the Hayward fault. The Final EIR information on seismicity includes that RDEIR chapter,

along with these comments on the RDEIR, and the response presented herein. It is the Planning Commission's responsibility to determine if the EIR description of geotechnical impacts and mitigation needs is adequate. Please also see response to Environmental Point G.41 which follows.

Environmental Point G.41. (Maximum credible earthquake.) Potential horizontal and vertical motions on the Hayward fault represent a serious issue. A site-specific maximum credible earthquake (MCE) must be defined before the EIR is approved. There is no other way to quantify the effects of an MCE on the access road. (209.36)

Response. Such specific engineering analysis may be required by the City before the project final map is approved, but such specificity exceeds the scope of an EIR. The City of Oakland Office of Public Works determined that the investigations performed to date are adequate for the processing of the EIR. Further investigations are routinely required by the City as the application works its way through the planning process. The RDEIR includes recommendations for the scope and direction of those investigations (see RDEIR pp. 314-316).

The RDEIR is not intended to be a technical document that is responsible for the design of the subdivision. Rather, the EIR provides information on the setting of the site and analyzes the environmental effects of the project. The Planning Commission will determine if the RDEIR, along with the comments and responses to comments, provides a sufficient environmental assessment of the Hayward fault and its ramifications for the proposed project.

Please also see response to Environmental Point G.43 regarding MCE computations.

Recent Additional Hayward Fault Investigation: In August 1991, the applicant's consulting engineering geologist, Purcell, Rhoades & Associates (PRA) completed additional geologic investigation to determine where the active fault trace of the Hayward fault crosses the proposed access road, and to provide recommendations to mitigate disruption of vehicular access and utility service. The investigation, entitled Access Road Geologic Fault Investigation, Dunsmuir Heights Development, Oakland, California (August 12, 1991), included review of pertinent geologic literature, study of

stereopair aerial photographs, the excavation of three trenches across the fault zone, review of the trenches and consultation with Mr. Lloyd S. Cluff, consulting seismic geologist familiar with the Hayward fault. Based on the results of the study, the report author (PRA) states its opinion that the proposed roadway as proposed "has sufficient width to accommodate the expected off-set from surface rupture along the Hayward fault without disruption of site access." The report also states that "utilities can be installed within the designated zone to allow for deformation without the likelihood of severing." As of this writing, the August 1991 PRA report had not yet been reviewed by the City's Office of Public Works.

Environmental Point G.42. (Site-specific Hayward fault MCE.) A site-specific MCE computation exists. A Taylor-Cluff report for the Alameda County Juvenile Hall one mile to the south indicated a magnitude 7.5 to 7.75 Richter, with 7 feet right lateral shift max. and 2 to 2.5 vertical offset. (209.33)

Response. Please see response to Environmental Point G.41 regarding *recent additional onsite Hayward fault investigation.*

Environmental Point G.43. (Ground motion parameters needed.) CDMG states that a quantitative analysis of seismic ground motion parameters is needed in the EIR for the Hayward fault. (270.2, 271.1, 271.2, 271.3)

Response. Please see responses to Environmental Point G.41. In addition, please consider the following:

The comment concerning potential ground motion parameters includes a reference to potential bedrock acceleration values due to a maximum credible earthquake on the Hayward fault that could exceed approximately 0.7g. This MCE value is one method of estimating a peak bedrock acceleration value. The peak value only represents a single-pulse of an earthquake's ground motion. Ploessel and Slossen (1979) have indicated that the repeatable ground acceleration value of approximately 65% of the peak value may be more representative of potential earthquake acceleration.

Please also see response to Environmental Point G.52.

The site is located upon shallow bedrock, which may have relatively high peak and repeatable bedrock accelerations. The accelerations would be expected to be of short-term duration, on the order of 30 seconds. It is well documented that wood-framed structures are one of the best earthquake-resistant designs. Standard engineering practice has been to design critical structures such as schools, hospitals, and fire houses based upon acceleration records and Fourier Spectral Analysis. It is current engineering practice to utilize Uniform Building Code requirements for non-critical structures. The inherent flexibility of wood-frame structures provides additional earthquake resistance beyond that provided by UBC design. The project structural engineer will be informed of the proximity of the Hayward fault and the potential for short-term peak bedrock acceleration for consideration in designing the structures to current engineering design (EIR page 310 has been revised to incorporate this mitigation requirement).

Regarding conditions for potential site amplification, there is only a shallow soil mantle overlying the bedrock; fill will be compacted, benched into competent bedrock and compacted to over 90% relative compaction, and there are no sharp topographic ridges that could provide areas for local site amplification.

Environmental Point G.44. (Quantitative information needed.) Specific, quantitative information on the Hayward fault must be included in the RDEIR regarding past (1836, 1868) earthquakes. (209.13, 339.6)

Response. The RDEIR adequately describes the active nature of the Hayward fault. The discussion in the EIR of the degree of vertical and horizontal movement anticipated during a maximum credible earthquake is based on consideration of numerous seismic and geologic factors including past earthquake history. While the 1836 and 1868 earthquakes are cited on page 292 of the RDEIR, there are no first-hand, scientific accounts of the 1836 and 1868 earthquakes on the Hayward fault. Using chiefly newspaper accounts as data sources, geologists have compiled information on these earthquakes. However, the magnitude, amount of offset, and other earthquake parameters (such as the location of the 1836 and 1868 traces in southeast Oakland) are not established.

The rupture surface in 1836 reportedly opened between San Pablo and Mission San Jose. The rupture surface in 1868 opened between Mills College and the Warm Springs District of Fremont. A report prepared by Youd and Hoose (1978) cites ground failure attributed to the 1906 earthquake, along with some data on the 1868 earthquake. Information on ground failure associated with the 1836 earthquake appears even more sketchy.

As stated on revised page 294 of the RDEIR in section II of this document, the maximum horizontal historical displacement anticipated for an earthquake on the Hayward fault is estimated by the CDMG to be ten feet; the average five feet.

Environmental Point G.45. (Figure 57, Earthquake Epicenters Map, of little value.) The scale of Figure 57 makes it of little value. Braff and Hanna (1981) should be shown which indicates epicenters in relation to this particular project site. (234.4)

Response. The EIR is not intended to be a scientific research paper or seismicity study of the Hayward Fault. The scale of Figure 57 is appropriate for the purposes of this section of this RDEIR chapter, which was to show the general association of earthquakes with the Hayward Fault throughout its length.

Environmental Point G.46. (Hayward fault information suppressed.) The developer shows a lack of attention to the Hayward fault. Real information about the seismic hazards posed by the fault are being kept out of the EIR. There is no figure in the EIR that shows the project superimposed over the Hayward fault and the Chabot fault. A figure is provided by the commenter. This is deceptive and discredits the EIR. (174.3, 209.1, 209.2, 209.3, 209.42, 339.1)

Response. The figure provided by the commenter is presented as a part of his comments (see 209.3 in Appendix A to the Final EIR), and hence it is a part of the EIR. The fault relationship shown on this map is already adequately conveyed in the RDEIR graphics and text. Note that the trace shown on Mr. Pimentel's map crosses existing roads and residential lots in Sheffield Village and elsewhere, as well as the main access road to the Dunsmuir project. The fault crosses over 1,000 existing

roads. The RDEIR (page 302) clearly identifies the risk of fault rupture to the access road as a significant impact. Please see response to Environmental Point G.41 regarding the results of a recent (August 1991) additional onsite Hayward fault investigation. Please also see response to Environmental Point G.39.

Environmental Point G.47. (Cluff recommendations suppressed.) The call contained in the Cluff letter for site-specific studies in order to assess the impacts of the Hayward fault was not included in the RDEIR. "This is deception!" This Cluff recommendation "was suppress" [sic]. The EIR must be honest, balanced, and complete, and not a sales document. (209.37, 209.38, 339.11)

Response. Please see response to Environmental Point G.39.

Environmental Point G.48. (Cluff review incomplete.) The RDEIR page 295 statement that "Mr. Cluff reviewed all previous geotechnical reports on the site..." is inaccurate. Mr. Cluff reviewed PRA and Carpenter (6-6-88, 2-20-89). Absent from the Cluff review were Terratech 1080 (1980), Levish (1969), Terratech 1080A (1969), Cooper, Clark and Associates (1974) and others (five others cited). (206.27)

Response. Please see response to Environmental Point G.4.

Environmental Point G.49. (Fault displacement should be addressed separately.) Page 291 of the RDEIR should have a separate section discussing Surface Faulting Potential. (167.F.7, 167.F.8)

Response. Separate sections discussing fault displacement along the Hayward fault are included on RDEIR pages 292 and 294, and on pages 302-303. The inactive Chabot fault (which is located one-half mile east of the site) is not considered by the CDMG to have fault displacement potential.

Environmental Point G.50. (Fault displacement estimates in the DEIR appear to be low.) Other technical papers and reports (referenced) have indicated that the fault could produce a "maximum probable earthquake" of Richter magnitude 7 to 7.25 with associated horizontal shift of 3.5 feet and vertical displacement of one foot, or a "maximum credible earthquake"

(MCE) of Richter magnitude 7.5 to 7.75 and an associated horizontal shift of 7 feet and a vertical displacement of 2 to 2.5 feet (1978 Woodward-Clyde study of the Hayward fault). Similar estimates have been included in the Fairmont Hills Project DEIR (1978). The RDEIR should explain these estimates or correct them. The DEIR should state how much vertical movement is expected (not mentioned at all on page 294). (222.14)

Response. Please see the response to Environmental Point G.41 which describes the results of a recent (August 1991) additional onsite Hayward fault investigation. Please also see responses to similar Environmental Points G.51 and G.52.

Environmental Point G.51. (Maximum horizontal displacement.) The RDEIR on pages 292 and 293 states that, according to the CDMG (1987), maximum horizontal displacement during a magnitude 7.5 Richter event will be approximately 5 feet. "This is a misrepresentation of the truth," "punches a hole in the credibility of all the geotechnical information in the report!" and should be removed from the RDEIR. The referenced CDMG report in fact says that the average horizontal offset will be five feet, and the maximum will be approximately ten feet, a big difference for an access road which traverses the fault. The lateral shift is underestimated by a factor of two. What access road can take this? Will the proposed crib walls take this? This is misleading to seismic structural designers. A worst-case computation would be 22 feet maximum horizontal shift. (192.15, 209.15, 209.16, 209.17, 209.18, 209.19, 209.20, 209.21, 209.23, 209.24, 209.35, 235.20, 339.8, 339.9, 339.10)

Response. The calculated maximum horizontal displacement stated in the CDMG Special Publication 78 (1987) is 10 feet. However, "the average displacement is about half the maximum, or about 5 feet, and will be more prevalent throughout the rupture length." This correction has been made to RDEIR page 294 in response to this comment. The clarification does not substantially change the impact conclusions and mitigation recommendations in the RDEIR.

Regarding impacts on the access road, the RDEIR clearly indicates that a high magnitude earthquake on the Oakland segment of the Hayward Fault would result in sufficient displacement to disrupt the road access. The crib wall would be broken and offset through the active fault zone. For strike-slip faults, the width of the active trace

is often narrow (1 to 10 feet). However, the actual width of the existing trace(s) that cross the proposed road is unknown at present. Outside the fault zone some deformation is likely, but crib walls are flexible and minor displacement would not result in significant damage.

The commenter's computations indicate how sensitive the MCE value is to the input assumptions. The point here is that the MCE does not guide land use decisions, or the design of the main access road. Because the main access road would be severed, alternate access is very desirable. However, it must be recognized that during any seismic event approaching the MCE, freeways, arterial and collector streets along the active trace (and in certain other parts of the City) will be obstructed. The damage to the main access road to the project will be a minute, although significant, part of the overall areawide damage. California and federal law recognizes that construction of roads and utility lines across faults is an unavoidable risk. There is no federal or state policy that prevents/discourages freeways from crossing (or even being built astride) active fault traces. It is inappropriate to build a structure for human occupancy, such as a residence, astride an active fault trace. Through selection of appropriate construction methods, the amount of damage can be controlled. It is not possible to guarantee that the main access road will be passible. Nor can it be assured that I-580, I-24, or Highway 13 will be passible.

Please see the response to Environmental Point G.41 which describes the results of a recent (August 1991) additional onsite Hayward fault investigation. Please also see Environmental Points G.36 and G.58 and responses to Environmental Points G.43 and G.55.

Environmental Point G.52. (Maximum vertical offset.) The consultants relied on USGS and CDMG reports for their information on the Hayward fault. Use of the 1987 CDMG report trivialized any effects of vertical offset on the Hayward fault in the event of a major earthquake. CDMG data was misrepresented by the EIR consultants. The project access road crosses the active Hayward fault and requires greater, site-specific detail than is included in the EIR. There is no mention in the RDEIR of vertical offset. Other experts estimate what the vertical offset will be in planning their projects. Numerous vertical offset estimates are cited (one to 2.5 feet). The commenter suggests a seven-foot maximum

vertical offset. Vertical movement is expected on the Hayward fault, contrary to what the RDEIR claims. "Try to drive a fire truck over a one-foot vertical offset." (148.1, 148.2, 192.16, 209.31, 209.32, 209.33, 209.34, 209.35, 209.39, 209.42, 339.3, 339.8, 339.10)

Response. Although the predominant displacement is expected to be right-lateral strike-slip, it would not be surprising if some "dip slip" (vertical) displacement also occurred. The RDEIR correctly points out that alternative access is warranted (see RDEIR, p. 309, last para.). Regarding the commenter's computations, please see response to Environmental Points G.42 and G.51. Please also see the response to Environmental Point G.41 which describes the results of a recent (August 1991) additional onsite Hayward fault investigation.

Environmental Point G.53. (Past history of fault rupture not revealed.) According to a 1908 Carnegie Institution of Washington report, it appears that this site experienced fault rupture in 1868 (page 435 of the 1908 report describes 1868 fault rupture in the San Leandro area). The RDEIR should state on page 302 that the project has experienced previous fault rupture, and should also note that in 1868 there were also "auxiliary branching cracks" associated with the main crack. This would make the risk of fault rupture damage to the access road even more probable than is noted in the RDEIR. (222.4, 222.5)

Response. The RDEIR clearly and adequately describes the potential for fault rupture on the Hayward fault and related significant impact potentials for the access road, and in light of the Hayward fault location, recommends provision of alternative emergency access through the golf course to the east. Please see RDEIR pages 288, 290, 291, 292, 302, 303, 305, 306, 309, and 310. Please also see the response to Environmental Point G.41 which describes the results of a recent (August 1991) onsite Hayward fault investigation.

Environmental Point G.54. (More specific analyses needed for Hayward fault.) PRA has never trenched for or determined the precise location of the Hayward fault on this site. No site-specific Hayward fault work was done for the RDEIR. Site specific study of the Hayward fault is needed above all else to understand effects of a maximum credible earthquake, and related impacts on the project site. Details of the Hayward fault have been ignored by the developer's geotechnical consultants. No site specific work was done on the

Hayward fault "because they didn't want to know how bad it was!" Further, more specific investigation of where and what the surface faulting effects of the Hayward fault are likely to be is needed. (165.23, 167.50, 167.53, 209.26, 209.27, 209.29, 209.37, 209.41, 339.13)

Response. An onsite investigation (trenching, etc.) of the Hayward fault and its implications for the proposed access road and utilities has recently been completed (August 1991). Please see response to Environmental Point G.41 for the results of that analysis. Please see responses to similar Environmental Points G.39 and G.51.

Environmental Point G.55. (Access road/seismic shaking.) Can the project access road take a major earthquake in the East Bay? A site-specific maximum credible earthquake must be defined for the project access road. The RDEIR should include on pages 303 and 304 that the western portions of the project site along the access road can be expected to undergo "very violent" groundshaking at San Francisco Intensity A according to Borchardt, Gibbs, and Lajoie (1975). What evidence is there that engineered slopes and crib walls will withstand "very violent" groundshaking which, by definition, is expected to destroy underground utility lines? How would they perform with heavy rain (saturated soils), "very violent" ground shaking, and surface fault rupture? (93.57, 209.11, 209.36, 225.11, 234.9, 234.10, 234.11, 273.2, 329.1, 340.2)

Response. Seismologists and geologists agree that there is a significant probability (approximately a 20 to 30 percent chance) of an earthquake with a magnitude 7.0 or greater on the Hayward fault during the next 30 years. The causative segment of the fault can be expected to have components of both strike slip and dip slip movements. During a Richter magnitude 7 earthquake, a 30 to 60 mile long segment of the fault is likely to experience surface fault rupture. An event of this magnitude on the Oakland segment of the fault would disrupt Highway 580, Highway 24, BART, Highway 13, trunk utility lines, various arterial and collector streets, as well as hundreds of local roads. Failure of marginally stable slopes, reactivation of dominant landslides, liquefaction of saturated sands, and heavy damage or collapse of poorly designed or improperly constructed buildings is predictable.

It is reasonable to assume that the main access road to Dunsmuir would be impassable, although a recent onsite fault investigation by the applicants geotechnical

consultant indicates that "the roadway has sufficient width to accommodate the expected off-set from surface rupture along the Hayward fault without disruption of site access." (Please see response to Environmental Point G.41.) However, the residences themselves, and internal road network should perform satisfactorily (i.e. as modern, Class 1A buildings sited on bedrock will sustain damage, but their performance can be expected to be superior to older or more sophisticated structures). Also, crib walls are flexible and minor movement would not impair the integrity of the wall. Within the fault zone, the wall would be disrupted by surface fault rupture. Outside the fault zone, the wall will be founded in stable rock or engineered fill that is keyed into rock.

Please see Environmental Point G.58.

Environmental Point G.56. (Fault rupture impacts on access road.) What is the probability that a major seismic event would cut off project roads and utilities? (222.15)

Response. Please see the response to Environmental Point G.41 which describes the results of a recent (August 1991) additional onsite investigation (trenching, etc.) of the Hayward fault and its implications for the proposed project access road and utility alignments. Please also see responses to Environmental Points G.55 and G.60.

Environmental Point G.57. (Specific analysis needed for fault rupture at access road.) Shouldn't the EIR note that the project access road damage potential it cites would also likely destroy the access road, leaving the project without access? Given the behavior of slides in major earthquakes, how can an access road be proposed for this site? What is the probability of a major seismic event cutting off access to the project? How would the proposed crib walls perform, given identified seismic shaking and fault rupture potentials (see horizontal and vertical displacement estimates in earlier comments)? What site-specific analysis has been done to "assure" that a major seismic event along the Hayward fault will not disrupt access to the project? The potential fault rupture impacts on the access road cannot be mitigated. (206.21, 206.22, 209.22, 209.36, 209.41, 222.2, 222.12, 222.15, 225.11, 273.1, 273.5, 275.5, 329.1, 340.2)

Response. A specific onsite analysis (trenching, etc.) has recently been completed (since publication of the RDEIR). Please see response to Environmental Point G.41 which describes the results of that onsite Hayward fault study. Please also see Environmental Point G.58. In addition, please see Environmental Points G.55, G.53, G.51, and G.39.

The RDEIR concludes that there can be no "assurance" that the Hayward fault will not disrupt access to the project. On the contrary, the RDEIR indicates that a major fault rupture on the Hayward fault segment that traverses the proposed project access road (and thousands of other roadway segments in the region) could disrupt access, and in this light, recommends provision of an additional emergency or through access route to the east through the golf course.

The developer will be required to demonstrate to the satisfaction of the City of Oakland Office of Public Works that the grading for the road meets the standards of the City's grading regulations prior to issuance of construction permits. All earthwork will be performed under the supervision of the geotechnical engineer (see revised RDEIR page 314). It should also be recognized that the road alignment traverses a bedrock slope, not landslide deposits. Construction on a steep slope increases costs, but it does not pose unusual engineering problems. A scenario suggesting simultaneous rupturing of the Hayward fault and Chabot fault is highly speculative. Please see response to Environmental Point G.83.

Environmental Point G.58. (Risk of fault disruption on access road is misleading and overstated.) The applicant's earthquake consultant, Lloyd Cluff, states that the statements on RDEIR page 302 that fault rupture hazard to the access road represents a "severe risk" and presents a "potentially significant adverse impact" are misleading. Both the context and the likelihood of a postulated earthquake and fault rupture along the Hayward fault must be understood before jumping to these conclusions. Given the postulated magnitude 7.5 earthquake along the Hayward fault and the postulated 5 feet of surface rupture (see Environmental Point G.36), the social disruption that will result in other communities throughout major portions of the Bay Area will be so severe that a minor disruption in the project access road due to surface faulting would be relatively insignificant. Also, because

the Hayward fault is a horizontal, strike-slip fault, disruption would be minimized. (167.F.12, 167.F.16, 167.F.17)

Response. Comment noted. It is conceivable that a surface rupture due to a major earthquake along the Hayward fault segment traversing the project access road could make that roadway impassible. In that light, the RDEIR recommends provision of an alternative through or emergency access road connection to the east via the golf course. Please also see response to Environmental Point G.57.

Environmental Point G.59. (Grading across fault.) Is it safe to cut and fill one million cubic yards of fill across an earthquake fault? Will there be damage to Sheffield Village homes? (168.13)

Response. Nearly all of the earthwork necessary to implement the project is outside the Hayward Fault Special Study Zone. Some earthwork is required to construct the main entrance road. Up to approximately 200,000 cubic yards (not one million) of earth would be moved to construct the access road as proposed in the preliminary grading plan (RDEIR Figure 58). If the proposed single-access-road-with-crib-walls alternative recommended on RDEIR pages 206 and 486 is implemented, the road-related cut-and-fill volume would be reduced to approximately 100,000 cubic yards.

Only the main access road will cross the Hayward fault. The Hayward fault does pose a risk to the road. In the event of a high magnitude earthquake, the road will be subject to the effects of surface fault rupture. In all probability, it will not be passable. The stability of natural and engineered slopes along the road will be reduced by the strong groundshaking. Fills which are "keyed" into bedrock and properly compacted will not slide. Raveling and sloughing of loose rock above retaining walls is a possibility. Should raveling occur, it is anticipated that the debris would chiefly be trapped by the roadbed. Major sliding is considered unlikely because the hill is mantled by competent rock.

RDEIR page 306 notes that "Failure of one or more of these ravine fills during an earthquake or severe rain (and inadequate subdrainage) could...create nuisance

problems and significant impacts for some existing rear yards along Cranford Way, Revere Avenue, and Marlow Drive below."

Environmental Point G.60. (Utility cut-off probability.) What is the probability of a project utility cut-off during a seismic event? The lateral shift of 22 feet and vertical offset of 7 feet will result in unmitigable storm drain impacts under the single access road. If these buried storm drains are ruptured in a major earthquake during a major rainstorm, Sheffield Village will be flooded; lawsuits will result. (222.15, 235.25)

Response. Seismologist and geologists agree that there is a significant probability (approximately a 20 to 30 percent chance) of an earthquake with a Richter magnitude of 7 on the Hayward fault during the next 30 years. The potential for fault surface rupture damage to project utilities is adequately described in the RDEIR (identified as significant), and adequate mitigation measures are also identified (see RDEIR pages 302, 303, 306, and 310. Inclusion of the specific "probability" of such an event in the EIR would be highly speculative, and would not change the RDEIR impact conclusions and recommendations. Please see the response to Environmental Point G.41 which describes the results of a recent (August 1991) onsite investigation (trenching, etc.) of the Hayward fault and its implications for the proposed access road and utility alignments. Please also see Environmental Points G.36 and G.61 and response to similar Environmental Point G.55.

Environmental Point G.61. (Utility service cut-off impacts.) Regarding RDEIR page 303, the applicant's earthquake consultant, Lloyd Cluff, states that if one considers the context of a large earthquake on the Hayward fault and the potential widespread interruption of critical utility services, the significant adverse impacts of the project would not be from utility services that directly serve the project, but from interruption of the extensive utility systems that cross the Hayward fault many times elsewhere in the Bay Area. (167.F.13)

Response. Comment noted. This issue is adequately addressed in the RDEIR. See response to Environmental Point G.60.

Environmental Point G.62. (Water line design.) EBMUD indicates that there are three, not two, possible water line alignments, and describes a number of water line design

features which would be incorporated by EBMUD in the water lines which cross areas prone to slides, and across faults, and also explains that a thorough EBMUD geotechnical investigation, at applicant expense, may be needed before EBMUD can proceed with water main design. (157.4)

Response. Comment acknowledged. EIR pages 50, 350, 376, and 377 have been revised to refer to three, rather than two, alignment alternatives. None of these alignment extension alternatives would cross the Hayward fault.

Environmental Point G.63. (Water line routing.) The applicant states with regard to RDEIR page 303 that all water service to the site will be from the upper direction and will not cross the Hayward fault. (167.54)

Response. Comment acknowledged. The RDEIR text on page 303 has been revised to include this information. Nevertheless, project water system "loop" interconnects to the existing system below the project might also be required by the City.

Environmental Point G.64. (Loma Prieta example.) Lessons learned from the Loma Prieta earthquake (six feet horizontal and four feet vertical displacement, distributed cracking, landslides in manmade cuts and fills, "unexpected" by the experts) indicate that seismic hazards of a major earthquake on the Hayward fault cannot be overemphasized. A post-Loma Prieta USGS Working Group indicates that the probabilities for a large earthquake in the Bay Area are very large--approximately 67 percent in the next 30 years; can the Dunsmuir Heights project and project access road take it? (148.10, 209.9, 209.11, 209.12, 339.4)

Response. Please see responses to Environmental Points G.55, G.57, and G.40. Please also see Environmental Points G.65 and G.36.

Environmental Point G.65. (Loma Prieta impacts inaccurate.) The applicant's earthquake consultant, Lloyd Cluff, states that the RDEIR page 291 statement that the Loma Prieta earthquake resulted in "severe" ground shaking throughout the Bay Area, with major damage to structures and loss of life, represents the picture portrayed by the media and is inaccurate and misleading. The earthquake was centered about 50 miles south of the

project. The intensity of shaking varied considerably throughout the Bay Area. Damage and life loss was major in localized areas, some as far as 60 miles from the earthquake center, where combinations of soft geologic site conditions and poor design and construction resulted in major losses (Cypress Freeway structure in Oakland, Marina District in San Francisco). At sites underlain by sound rock throughout the Bay Area, the level of shaking and resulting damage was comparatively minor. (167.48, 167.F.4, 167.F.5)

Response. Comment acknowledged. RDEIR page 291 has been revised to improve this wording.

Environmental Point G.66. (Loma Prieta earthquake locally irrelevant.) The RDEIR page 291 reference to the Loma Prieta earthquake effects on the project site should be deleted. The project site was subjected to only .09g (or less) lateral acceleration from the Loma Prieta earthquake. Recent reports suggest .70g lateral accelerations during a maximum credible earthquake on the Hayward fault can be expected. Epicentral lateral accelerations from Loma Prieta were about .50g to .60g; major damage to woodframe structures was widespread at this acceleration level. (168.3, 192.5, 332.1)

Response. Since several areas within the San Francisco Bay region were impacted by the Loma Prieta earthquake, the discussion in the RDEIR is valid.

The comment is also incorrect. The majority of damage resulting from the Loma Prieta earthquake resulted from ground failure in preexisting landslide areas, unengineered slope and structures not constructed to current building codes. Historically, as proven in several major earthquakes, single-family, wood-framed dwellings on firm, shallow bedrock or compacted, engineered fill performed the best during earthquakes. The CDMG Special Report 78 (1987) describes the site area as during the scenario Richter magnitude 7.5 earthquake, as being in a zone that will have "damage negligible in buildings of good design and construction."

Also, please see Environmental Points G.36 and G.65 and the response to Environmental Point G.55.

Environmental Point G.67. (No evidence of onsite faulting.) RDEIR page 292, section (2), last paragraph, should refer to site-specific studies for the project which have verified that the Hayward fault is active, and that no evidence of activity has been found along the Chabot Fault. (167.F.10)

Response. The project residential areas are not located within the Hayward Fault Special Studies Zone. No site-specific studies of the Hayward fault have been completed for this project. Please see response to Environmental Point G.39. RDEIR pages 295 and 296 refer to site-specific studies that were completed for possible active traces of the Chabot fault.

Environmental Point G.68. (Chabot fault system status.) Regarding RDEIR page 292, is the Chabot fault system classified by the USGS or the CDMG as "inactive." (167.51, 192.14)

Response. The Chabot fault is not considered active at present by either the USGS or the CDMG. See top of RDEIR page 295. Regarding onsite fault traces, the proposed residential area of the project site was originally in the Hayward Fault Special Studies Zone (SSZ). In 1974, Terratech recommended setbacks from two lineaments suspected on the Dunsmuir site. In 1982, when the CDMG issued a revised SSZ map, the proposed residential area of the project was no longer in the designated Hayward Fault SSZ. The CDMG determined that conclusive evidence of active faulting was not demonstrated by the Terratech report. Furthermore, Purcell, Rhoades & Associates performed exploratory trenching on the two lineaments that were suspected to be active or potentially active by the 1974 Terratech report. The PRA investigation, performed in 1986, found no evidence of active faulting.

Environmental Point G.69. (Cluff findings unsubstantiated; unmitigable impacts.) There is little evidence in Mr. Cluff's report to substantiate the Cluff findings. Mr. Cluff says nothing to mitigate Hayward fault hazards. The statement "significant adverse impacts" can be replaced with "significant unmitigable impacts" throughout the report. (192.19, 332.4)

Response. Please see Environmental Point C.36 herein by the applicant's earthquake consultant, Lloyd Cluff. As stated by Mr. Cluff in his April 5, 1991 letter, his

conclusions are based on review of the numerous previous geotechnical reports cited in the RDEIR, and on his expert judgment, derived from his extensive international professional experience as a consulting geologist and earthquake expert. Please see the Cluff letter in new RDEIR Appendix K. The findings and recommendations in the RDEIR were formulated not by Mr. Cluff, but by the EIR geologist, based on review of many sources of data (fourteen are listed in the Darwin Myers bibliography, in new RDEIR Appendix K), including numerous site-specific geological studies, and the Cluff overview.

Environmental Point G.70. (Chabot fault could be active.) If the Chabot fault strand mapped offsite to the east of the project proved active, possible alternative access to the site could be affected. None of the previous geologic studies for the project include site-specific evaluation of this offsite feature. What site-specific investigations have been done east of the site? Although currently considered inactive, the Chabot fault, like the Carnegie fault in the Altamont Hills, could be found through further study to have damage-generating potential. UC Berkeley experts believe that the Chabot fault may be more active than previously thought. What site-specific evidence is there to support the conclusion that the fault is inactive? (148.3, 206.20, 206.23, 235.21, 303.1)

Response. The proper forum for determining whether a fault is active is not during project environmental review or before the Oakland City Council. The USGS and CDMG should make such scientific determinations. There is no data either from site-specific investigation or from studies by the U.S. Geological Survey or the California Division of Mines and Geology indicating that the Chabot fault or its branches are active.

PRA explored suspected faults on the site, and they invited Terratech to join them in the field. The outcome of those studies was that evidence of active faulting was lacking. Moreover, only fractured, altered rhyolite was present in the suspected "fault zones". *Because evidence of offset was uncertain, PRA considered the zones more likely to be areas of highly jointed and weathered rock, although they could also be inactive faults.* Please also see responses to Environmental Points G.72 and G.119. If the Planning Commission deems that further analysis of this system is warranted,

they can direct the applicant as to the specific nature of any additional work required as a condition of preliminary project approval.

Environmental Point G.71. (Chabot fault active.) The Chabot fault is active. (235.17, 235.21)

Response. The Chabot fault is not classified as active by either the USGS or the CDMG. See response to Environmental Points G.68, G.70, and G.72.

Environmental Point G.72. (Other fault traces.) RDEIR page 292 indicates no other fault traces on the property. The commenter doesn't believe it. Also, the Chabot fault system could be active, based on recent work and papers. Needs to be explored in much greater detail in the EIR. (209.6, 235.14, 235.17)

Response. Currently the Chabot fault system traces are not considered active by either the U.S. Geological Survey or California Division of Mines and Geology. There are no federal, state or local policies that require fault setbacks for residential projects, or special studies for residential projects outside the SSZ. Nevertheless, the applicant's geologic consultant trenched lineaments of the site that were considered to be possible evidence of faulting. It was their conclusion that the lineaments were manifestations of highly jointed, deeply weathered rock, not faulting. There is no evidence of either the Mission or Chabot faults on the project site.

An EIR is not a proper forum to debate the significance of these faults. The geologic community, especially the CDMG and USGS, must evaluate the scientific evidence and reclassify the faults as active if the evidence is persuasive. Please also see responses to Environmental Points G.70 and G.119.

Environmental Point G.73. (Fault rupture conclusions inconsistent.) RDEIR page 310 says no residential areas would be subject to fault rupture; yet Figure 51 shows a fault located in the area; this contradiction should be explained. (222.19)

Response. See response to Environmental Points G.74 and G.119.

Environmental Point G.74. (Accuracy of maps questioned.) What happened to the traces of the Chabot fault that were once identified by experts as existing on the portions of the property slated for development? Figure 51 shows a fault in an area planned for housing. How can this be? This raises "the issue of inaccurate, seemingly purposefully misdrawn maps." The Chabot fault trace on Figure 51 does not show up on page 288, on page 290, or on page 293. (223.3, 235.10)

Response. Figure 51 represents a 1976 vintage schematic mapping of the geologic structure of the East Bay subregion. It is included in the RDEIR as an available official depiction of the overall configuration of geologic units in the project vicinity. It includes the 1976 assumption with respect to the approximate location of the Chabot fault system. Since 1976, more recent official data has been developed by the CDMG with respect to the Chabot fault system. Figure 54 later in this chapter is included to show the most current official Special Studies Zone (SSZ) map issued by the CDMG in 1982. By 1982, after additional study, only the Hayward fault was shown on the official SSZ map. By 1982, the CDMG had determined that conclusive evidence of active faulting along the northeast edge of the site was not demonstrated by specific investigations, including the Terratech report.

Figure 56 is a map prepared by Purcell, Rhoades & Associates. It shows (a) the boundary of the site, (b) the traces of the Hayward fault as plotted on the latest 1982 CDMG SSZ map, and (c) landslides confirmed in the field by PRA. In effect, this map indicates that PRA confirmed only one small landslide area on the site. The map does not show inactive faults because they are not considered to constrain development of the property. In fact PRA considered the features interpreted as faults by Terratech to be zones of highly jointed and hydrothermally altered rhyolite. Please also see responses to Environmental Points G.70, G.72, and especially G.119 (the relationship and results of various onsite investigations by Terratech, PRA, etc.).

Environmental Point G.75. (Other investigations.) What investigations other than PRA (1986) were done on the eastern portion of the site? (206.11)

Response. As explained in the RDEIR, pages 281, 295, and 296, a number of site-specific investigations have been completed in the eastern portion of the site, including

fault investigations by Terratech in 1974 and 1987, and a 1985 fault hazard study by PRA. These studies are summarized on RDEIR pages 295 and 296. In addition, a comparison of the findings included in these various studies has been included herein in response to Environmental Point G.119.

Environmental Point G.76. (Other fault traces.) PRA (1985) Figure 2 shows an apparent fault line or geologic contact branching from the Chabot fault system. Robinson (1965) also shows this branch. Given the proximity of this branch to Terratech 1080G (1974) Lineation 1, this feature should be included in the EIR geology discussion. Is this the fault zone identified in Terratech 1080H2 (1987)? (234.5, 303.3)

Response. The Purcell, Rhoades & Associates mapping used Robinson as a reference, and the maps are similar. The feature interpreted by Terratech as a lineament was a zone of hydrothermally altered rhyolite, and shows agreement with the mapping of Robinson's dike. Please see response to Environmental Point G.119.

Environmental Point G.77. (Fault branches.) RDEIR pages 294 and 295 describe "branches of the inactive, northwest trending Chabot fault system." What site-specific evidence is there that these are not eastern branches of the Hayward fault? (206.18)

Response. The absence of either continuous or active fault zones on the site demonstrates the lack of eastern strands of the active Hayward fault. Please see response to Environmental Point G.119 regarding the series of site-specific studies completed to arrive at this finding.

Environmental Point G.78. (Eastern fault traces need site-specific analysis.) Regarding RDEIR pages 294 and 295, what site-specific studies have been done to determine that the faults along the eastern boundary of the site are inactive? Fault traces along Lineation 1 & 2 in the middle of the project site have not been adequately addressed. Should conclusion regarding PRA study on RDEIR page 295 read, "no evidence of active faulting"? (206.24, 206.25, 206.32, 206.33, 303.1)

Response. Regarding what site-specific studies that have been done to determine that the faults along the northeastern boundary of the site are inactive, please see

response to similar Environmental Points G.70, G.75, and G.119. The conclusion on RDEIR page 295, has been revised to read "no evidence of active faulting."

Environmental Point G.79. (PRA/Terratech relationships.) PRA (1986) trench and Terratech (1969) trench locations indicate that there was no PRA investigation to relocate the Terratech 1080A fault zone. (234.6, 303.3)

Response. In 1985, Purcell, Rhoades and Associates (PRA) conducted a fault investigation with exploratory trenches excavated near Terratech's trenches that crossed Lineaments 1 and 2. It was concluded by PRA that the fractures and weathering characteristics of the rhyolite bedrock were regional and not indicative of an active fault system. Subsequently, on 16 and 17 July 1987, four new trenches were excavated next to and parallel with those excavated by Terratech in 1974 and those logged by PRA in 1985. These trenches were jointly observed by geologists of Terratech and PRA. *In a letter of 21 July 1987, Terratech was satisfied that there were no continuous or active fault zones, and that no building restrictions outside of the Hayward Fault zone were necessary.* Lineament 3 was not trenched by PRA because the 1974 Terratech report had concluded that this feature did not warrant regulation of land use.

Environmental Point G.80. (Trench study relationships.) Please show on a map the relationship between the PRA (1986) five trenches and the Terratech (1969) trenches. (206.12)

Response. Please see response to Environmental Point G.79 above. Comparative trench location maps are available by reference to the cited reports, and do not warrant inclusion in the EIR.

Environmental Point G.81. (Area of geologic contact.) Levish (1969) said with regard to the eastern fault trace area, that "this zone is generally unstable and special attention is required to develop the property," and that "the contact zone...may be a problem" during a seismic shock "because of differing responses on either side of the contact" and that, therefore, buildings should avoid spanning this zone. Why hasn't this been incorporated into the EIR? (234.8)

Response. There is a potential for engineering problems at contacts that may require special construction practices. However, based on their 1985 site specific investigations of these contacts, the project engineering geologist, Purcell, Rhoades & Associates determined that regulation of land use was not necessary on the site (see response to Environmental Point G.119). Their recommended approach is to provide observation of grading, and to provide special measures to ensure stability wherever weak rock is encountered.

Environmental Point G.82. (Lopsided analysis.) The geology section seems to be lopsided in favor of selected, relatively recent geologic interpretations despite other expert evaluations (Terratech and Carpenter). Carpenter has prepared five EIR comment reports which are not referenced in the RDEIR. (197.11, 206.18, 206.34, 303.5)

Response. All Carpenter comments submitted to the City during the 1988-1989 DEIR public review period were considered and responded to as warranted in the RDEIR. Regarding subsequent Carpenter comments received during the RDEIR public review period, please see responses to Environmental Points G.52, G.70, G.120, G.91, G.110, H.8, E.62, G.119, G.64, and G.26.

Environmental Point G.83. (Eastern fault emergency access impacts.) If the Chabot fault is active, then there is no way out of the property that does not cross faults capable of large horizontal and vertical offsets in a major earthquake. The second mitigation on RDEIR page 31 may not be feasible; it may not be possible to provide a secondary access road not subject to fault rupture. What site-specific investigations have been done to "assure" that this won't occur? (206.19, 206.21, 206.22, 206.31, 234.7, 235.21)

Response. The only known active fault in the area is the Hayward fault. It does not cross the REIR-proposed emergency access road to the east. That route may cross traces of the inactive Chabot fault system. Also, there is no policy at any level of government that would deem a road alignment unfeasible because it crosses a fault. In addition, a scenario suggesting simultaneous rupturing of the Hayward fault and Chabot fault is highly speculative. Please also see responses to Environmental Points G.68, G.70, G.72, G.79, G.108, and G.119.

Environmental Point G.84. (Emergency access--fault disruption.) Emergency access over a known fault is inadequate; the EIR is inadequate. (235.23, 339.4, 339.7)

Response. There are no City, state or federal regulations that would discourage the construction of the road over the fault. Please also see response to Environmental Point G.83 above. The Oakland City Planning Commission has authority to determine the adequacy of the EIR.

Environmental Point G.85. (Peralta water tank stability.) RDEIR Figure 51 shows one or two faults under the Peralta water tank site. Didn't Terratech identify these faults as active traces of the Hayward fault (RDEIR p. 295)? Why does the RDEIR fail to discuss potential failure of the Peralta water tank (filled with one million gallons of water) as a project seismic hazard? Potential ground rupture damage to the tank, and associated liability issues pertaining to damage from water tank leakage or failure, should be described. (226.1, 226.2, 226.3, 226.4, 226.5, 226.6, 226.7, 226.8)

Response. The lead agency for water tank issues is EBMUD. There are no known active faults in the immediate vicinity of the tank site, so risks of surface fault rupture are considered insignificant. Location of EBMUD water tanks above residential development is normal practice, is essential to the provision of adequate domestic and fire flow, and involves routine EBMUD engineering, site design, and maintenance practices to prevent significant adverse affects on adjacent residential development.

Environmental Point G.86. (Fault creep.) The statement on RDEIR page 294 that fault creep was first recognized along the Hayward fault in 1960 is incorrect; should be 1962. (167.F.11)

Response. Comment acknowledged. RDEIR page 294 has been revised accordingly.

Environmental Point G.87. (Fault creep.) RDEIR page 294 makes no mention of the extent of fault creep; how much fault creep has been experienced? The commenter notes that the Hayward fault is known to experience tectonic creep, and cites a newspaper account of 9 mm. of creep per year. The commenter questions how this amount of creep

will be mitigated. Also, fault creep experience on the adjoining Fairmont Ridge property should be discussed. (222.6, 222.13)

Response. Comment acknowledged. Some segments of the fault are known to creep, while others appear to be "locked". RDEIR Figure 54 shows two creep localities on the reach of fault northwest of the site. Creep is not known to be occurring in the Sheffield Village segment. RDEIR page 310 has been revised to include the recommendation for flexible utility lines where they cross the Hayward fault zone. Creep damage to the main access road, if it occurred, would be an additional maintenance responsibility of the homeowners. On public roads, the usual mitigation is to more frequently apply pavement seal coats or overlays. Please see Environmental Point G.62.

Environmental Point G.88. (Peralta Oaks/Foothill Way extension--impacts on Dunsmuir Reservoir.) The Peralta Oaks-Foothill Way extension requires grading at the toe of EBMUD Dunsmuir Reservoir. The impact of the extension on the reservoir should be discussed. The relationship of the reservoir to the extension should be mapped in the RDEIR. EBMUD proposes to allow a 30 foot cut within 175 feet of this 65 million gallon dam in very unstable fill. These impacts should be extensively documented. Living below a dam would be hazardous. The Peralta Oaks extension is a grave mistake. Is the data on RDEIR page 309 all there is? The road itself may be unstable. Part of the road will be built on stockpiles; would this be safe? Will the required excavation be allowed by EBMUD and the State Division of Dam Safety? Drainage and structural problems would be a source of future litigation. Why is the District asking the developer to sign a "hold harmless" statement if there is no risk? Why would the developer sign such a statement if the City will own the road? This makes no sense. What is the opinion of the State Division of Safety of Dams? Have they been contacted? Written approval by this agency should be provided. Numerous technical questions are asked regarding the seismic design aspects of the reservoir. Has an inundation map been prepared for the reservoir? Who will be liable in the event of a failure? A spring on the reservoir site has been the source of concern to the State Division of Dam Safety. (87.1, 87.2, 87.3, 87.5, 87.6, 87.7, 87.8, 87.9, 87.10, 87.11, 98.32, 98.37, 98.48, 98.58, 98.59, 157.3, 219.2, 219.3, 219.4, 235.22, 329.2, 341.1, 341.2)

Response. At issue is the stability of the reservoir relating to the proposed street construction. The following response is based primarily on an investigation completed by the EIR consulting civil engineer, Mitchell Moughon, P.E., Bissell & Karn, Inc.

Site Conditions: The Dunsmuir Reservoir sits atop a hill above the I-580 freeway. According to the Bissell & Karn review of EBMUD construction plans for the reservoir, the facility is constructed 30 and 40 feet deep into the ground at the top of the hill. The ground slopes down away from the reservoir towards the west (freeway), varying between a 2.75:1 to 4.5:1 horizontal-to-vertical slope.

Construction Conditions: The proposed roadway alignment is located downslope, approximately 200 to 450 feet from the reservoir. *Most importantly, the EBMUD had anticipated this roadway extension at the time of reservoir design and construction. The proposed roadway is shown on the reservoir construction plans.* However, the road was not constructed at that time by EBMUD.

Based on a letter from EBMUD to Mr. Robert G. Miller of Hayward Exchange, Inc. (the project sponsor), dated August 22, 1989, the engineering constraints associated with construction of this roadway as proposed, and associated mitigation requirements, are as follows:

- (1) The proposed road alignment crosses an existing 60-inch diameter mortar lined and coated steel pipeline.

Answer: The pipeline must be protected during construction, or lowered prior to construction, depending upon the final roadway plan grade.

- (2) The alignment borders on an area that was designated as a stockpile for top soil and granular material used during construction of the reservoir.

Answer: A soils investigation would be required, after the proposed roadway alignment has been prepared, to address the stability of the soils and offer recommendations for repair measures that may be needed.

- (3) No roadway would be allowed below a plane extending downward at a slope of 2-1/2 horizontal to 1 vertical beginning at Elevation 227 on a line 5 feet outside of or westerly from the face of the reservoir wall.

Answer: Reference is made to the proposed roadway cross-section. The cross section shows that the roadway area will be located above the subject plane. The roadway can be constructed to meet this requirement.

- (4) The District would be held harmless from seepage onto the developed areas originating from the reservoir or other natural sources.

Answer: The above mentioned soils report shall address the seepage situation, and recommended drainage solutions will be implemented for permanent remedy.

The remainder of the letter addresses procedural matters that will be handled routinely during plan review and permit from East Bay Municipal Utility District, and other permitting agencies.

Stockpile and Leakage Issues: EBMUD states in the RDEIR comment letter, dated February 22, 1991 (see Environmental Point G.89 which follows), that "these stockpiles do not exist anymore, based on field observations and 1990 topographic data. Leakage from the reservoir is collected by a reservoir underdrain system. Any additional seepage encountered during the roadway design and/or construction should be similarly collected and removed."

Engineering Plans: Preliminary engineering plans have been prepared for the extension by the applicant's civil engineer, Charles W. Davidson Co. and have been reviewed by EBMUD. At this time, there is approximately ten feet of cover over the existing inlet-outlet pipe at the proposed roadway centerline. The proposed roadway design would require cutting approximately 1.5 feet at the centerline of the road over the pipe, allowing eight feet of remaining cover over the pipe. This would be sufficient cover to prevent damage to the pipe, while still providing for use of normal construction equipment to excavate in case there is ever an EBMUD need to uncover the pipe at this location.

State Division of Safety of Dams: A geotechnical report on the roadway extension was submitted by the applicant's geotechnical engineers to EBMUD, who in turn submitted the report along with the proposed roadway construction plans to the State Division of Safety of Dams in 1990. On February 15, 1991, the State Division of Safety of Dams submitted a letter to EBMUD wherein the Division stated that the construction of Peralta Oaks extension would not impair the safety of the Dunsmuir Reservoir and that no application to the Division would be required. (Ray K. Bold, R.C.E. #14218, Charles W. Davidson Co.) A copy of this February 15, 1991 EBMUD letter has been included in new RDEIR Appendix K included in the errata section of this Final EIR.

Liability: Regarding the subject of legal liability for damages associated with reservoir leakage, the EIR is meant to be an environmental impact disclosure document only. The EIR cannot establish or assign liability.

Environmental Point G.89. (Peralta Oaks/Foothill Way extension--impacts on Dunsmuir Reservoir.) EBMUD states the following: Several geotechnical studies have been generated regarding construction of the road and proximity to the dam. The stockpiles do not exist anymore, based on field observations and 1990 topographic data. Leakage from the reservoir is collected by a reservoir underdrain system. Any additional seepage encountered during roadway design or construction should be similarly collected and removed. (157.3)

Response. Comments acknowledged.

Environmental Point G.90. (Peralta Oaks/Foothill Way extension--reservoir pipelines.) EBMUD states that, to prevent damage to the Dunsmuir Reservoir inlet/outlet line, a reinforced concrete slab or structure may need to be constructed before heavy equipment is used to grade the road in order to prevent damage to the line. (157.3)

Response. Comments acknowledged.

Environmental Point G.91. (Mitigation: erosion control plan inadequate.) "Winterization" schemes are ineffective in severe storms; alternatives planned? Similar winterization plans

have failed with adverse impacts on Cull Canyon Road in Castro Valley (1978 mud flows). Revegetation takes time as RDEIR states, but impacts aren't thoroughly reviewed. The RDEIR does not adequately address the problem of establishing vegetation on cut and fill slopes. (148.4, 148.5, 209.5)

Response. Poorly designed, improperly constructed or inadequately maintained erosion control facilities can fail. The fact that a major failure occurred elsewhere 13 years ago does not imply that a similar problem is likely to take place on this site. The RDEIR points out the need for an effective erosion control plan. It would be designed by the project engineer with input from the applicant's geotechnical consultant, and subject to technical review by the City of Oakland. As explained in the RDEIR, a key element of the plan would be provision for maintenance throughout the winter rainy season, including during/immediately following each significant storm.

There are no unusual geologic problems that would prevent the establishment of vegetation on cut or fill slopes. The RDEIR-recommended use of crib walls for the entrance road will help to keep the height and steepness of slopes in this area to a practical minimum. The RDEIR points out that concentrated runoff from graded and developed areas should not be discharged onto graded slopes, and the applicant proposes a 25-foot vertical spacing between drainage terraces (maximum). By controlling runoff in this manner, erosion of slopes will be controlled. Elsewhere in the RDEIR, measures for revegetation of graded slopes are presented.

Environmental Point G.92. (Mitigation: fill slope setbacks.) The REIR pages 302, 306, and 313 fill-slope setback requirements are not consistent with PRA recommendations. (167.10, 167.A.3)

Response. Comment acknowledged. Revisions have been made to these RDEIR pages as necessary to accurately convey the PRA recommendations.

Environmental Point G.93. (Mitigation: slope gradients and drainage terracing.) Regarding slope gradients, PRA wishes it clarified that 2:1, H:V, slopes are preferred for all graded slopes where feasible; areas that require cut slopes up to 1.5:1, H:V, must be evaluated by the geotechnical consultant during project grading. (167.A.5)

Response. RDEIR page 302, item (4), first bullet, together with mitigation measures f(1) on RDEIR page 314, and c(2) and c(3) on RDEIR page 311, are consistent with this recommendation. In addition, the grading recommendations on pages 302 and 313 have been further clarified in response to this comment, particularly to emphasize the need for specific, lot-by-lot review by the project geotechnical engineer.

Environmental Point G.94. (Mitigation: foundations on fill.) Will foundations be designed to account for fact that fill does not respond the same as bedrock? (192.9)

Response. Areas of shallow solid or fill overlying bedrock respond just the same as zones comprised entirely of bedrock. Deep fills will attenuate bedrock accelerations somewhat relative to bedrock zones. Please see response to Environmental Point G.43.

Environmental Point G.95. (Mitigation: grading monitoring.) Regarding "Discovery of Adverse Conditions" on RDEIR page 315, who would monitor this mitigation? It might be advisable for the City to have a geotechnical representative present at the site when grading is performed. (225.6, 270.3)

Response. Comment acknowledged. In response, RDEIR page 315 has been revised to include a mitigation measure calling for ongoing monitoring of site grading by a City-retained geotechnical representative.

Environmental Point G.96. (Mitigation: recommendations of the applicant's geologist.) The measure on RDEIR page 314 calling for incorporation of the applicant's geologist recommendations justifies any construction activity the developer deems necessary, and affords no control over the project and guarantees that the true impacts can't be evaluated until after construction begins. An EIR should identify project specifics, rather than justify as yet unknown impacts. (192.35)

Response. The comment is incorrect. The potential environmental impacts of the proposed development are known and identified, and related mitigation requirements are thoroughly described in the RDEIR, including many of the measures recommended

by the applicant's own engineering geologist. The applicant's geotechnical report for the project describes the subsurface characteristics of the site and provides recommendations to be implemented in the project design, many of which are reiterated as EIR mitigation measures. In addition to these measures, numerous further measures are recommended in the RDEIR.

Environmental Point G.97. (Mitigation: future study.) Further exploration and geotechnical impact and mitigation detail needed in the DEIR, including test boring and engineering specifications. Regarding RDEIR pages 315-316 reference to future studies, given the extensive nature of projects on the project site (faults, slides, steep slopes, mass grading, etc.), the site requires careful planning. There is no adequate information to indicate that geotechnical impacts can be mitigated to insignificant levels. Are there similar major projects with major geologic hazards and environmental problems than can be cited? (209.41, 225.4, 225.7, 235.24, 271.7, 273.1, 273.5, 275.5)

Response. These comments and others like them suggest that this RDEIR should include final engineering or specification-level technical detail pertaining to complex issues such as seismic design. This expectation reflects a common misunderstanding of the purpose and intent of the EIR process, related CEQA guidelines, common EIR practice, and how the EIR fits into a city's overall development review process. The purpose of the EIR is to provide a sufficient information base for city use in establishing requirements or conditions of approval with respect to finalizing project design, construction, and operational characteristics, and for city identification of the conditions of preliminary project approval necessary to ensure that the various significant adverse environmental impacts on the environment are either mitigated to less than significant levels, or accepted in light of other overriding considerations. The Dunsmuir RDEIR clearly and adequately discloses and describes the significant seismic shaking and fault displacement impacts present on the site, and includes a program of mitigation measures which, if adopted by the Planning Commission at City Council as conditions of project approval and effectively implemented, will provide the City with reasonable assurances that related significant impact potentials will be reduced to less than significant levels or eliminated. With respect to detailed engineering and construction specifications for roadway, infrastructure, and building design, the EIR on the preliminary development plan is definitely not intended to be the source of such

specification level engineering data. Such technical specifications are time consuming and costly to formulate, and are routinely completed as part of the subsequent Tentative Map and Final Map stages of the City of Oakland development review process, after the basic design parameters of the project have been clearly established by the Planning Commission and City Council; i.e., after City review of the EIR, related public comment, staff recommendations, and the Preliminary Plan and its associated public comments and staff recommendations. In anticipation of such comments asking for highly detailed engineering specifications, the RDEIR Geotechnical Factors section includes a statement on pages 315 and 316 explaining that more detailed, post-EIR geotechnical engineering analyses, associated City engineering review phases, and related engineering design and construction specifications as warranted by these analyses, are expected for this project, if it moves on to the Tentative Map and subsequent stages of the City's multi-phase development review process. Regarding comparable projects that might be cited, each site poses its own unique geologic hazards, and project objectives and design goals vary. There are some large housing projects currently being processed by the City of Pleasanton are on the east flank of Pleasanton Ridge and bisected by the Calaveras fault.

Environmental Point G.98. (Mitigation: retaining walls.) On RDEIR page 310, how can "standard practices" for the design of retaining walls represent an adequate mitigation against failure of retaining walls within the Hayward fault zone? (225.5)

Response. This comment appears to refer to mitigation c(5) on page 312 of the RDEIR (not page 310 of the RDEIR as referenced in the comment). Mitigation c(5) is one of eight measures identified on pages 311 through 313 of the RDEIR under the heading "c. Slope Stability Impacts." These mitigations are for slope stability impacts, including seismic-induced slope failure. The EIR also includes an additional set of mitigation measures under the heading "a. Fault Rupture Impacts," on pages 309 through 310.

Incorporation of standard engineering practices for design of structures within the Hayward fault SSZ would be expected to reduce the risk of significant retaining wall failure due to seismic shaking to less than significant levels by assuring a standard of engineering design and construction which has been commonly accepted as current, reasonable, and adequate throughout the California engineering and construction industries. The finding is based on the important assumption that retaining walls would not be constructed atop the fault trace. Nevertheless, as stated under a. Fault Rupture Impacts, "provision of adequate secondary access not subject to fault rupture is essential to mitigate this impact to less than significant levels." The EIR goes on to recommend specific provisions for adequate secondary access. These secondary access provisions provide adequate mitigation for fault-related access impacts.

Environmental Point G.99. (Mitigation: slope stability.) How effective are the mitigations on RDEIR page 478 regarding slope stability? (225.12)

Response. Page 478 lists slope stability impacts not mitigations. The mitigations for these impacts are listed commencing on Page 481. These mitigations would reduce slope stability impacts to less than significant levels.

Environmental Point G.100. (Mitigation: Geologic Hazard Abatement District.) The applicant comments that the proposed Dunsmuir Heights homeowners association will have the necessary power to monitor, detect, and control geologic hazards and to levy and enforce collection of funds necessary for these activities. The Geologic Hazard Abatement District (GHAD) is a funding mechanism presently typically being used to correct or monitor a geologic hazard that covers a large extent of area over several property boundaries. In the case of Dunsmuir Heights projects, the absence of a specific hazard affecting a large area makes establishment of a GHAD inappropriate. (167.56, 167.A.4)

Response. Comment noted. Special districts are commonly established for large, single-ownership projects as well as for areas involving multiple ownerships. Please see response to Environmental Point G.101.

Environmental Point G.101. (Mitigation: Geologic Hazard Abatement District.) How will the GHAD operate? Will one be formed? Homeowners associations are not the proper body to perform critical maintenance. Is it reasonable to assume that the homeowners association/GHAD will be capable of maintaining drainage, roads, slides, and faults and balance their budget? (190.7, 222.9, 222.10, 223.1, 225.13)

Response. The RDEIR recommends assignment of such responsibility to the homeowners association or to a project maintenance district. This is the basic recommendation on RDEIR page 315. A project-specific maintenance district or a GHAD should be considered by the Planning Commission and City Council as a possible alternative in this case to assigning such responsibilities to a homeowners association. Both methods have been successfully used for maintenance purposes in comparable projects. The operational characteristics and comparative advantages of the maintenance district (or GHAD) approach are listed on RDEIR page 315.

Environmental Point G.102. (Fault creep and earthquakes.) RDEIR page 294, item (6), indicates that because the fault is susceptible to fault creep, it might not be prone to earthquakes. There is no basis for this statement. (332.3)

Response. The comment is incorrect. No such statement is made or implied here.

Environmental Point G.103. (Mitigation: filled slopes.) Fill slope impacts related to a combination of "very violent" groundshaking during a very rainy year cannot be mitigated to a level of insignificance. Are there assurances of Sheffield Village safety which are economically feasible? (234.11, 273.4)

Response. See response to similar Environmental Points G.17, G.19, and G.43.

Environmental Point G.104. (Mitigation: groundshaking.) The applicant comments that the measure on RDEIR page 310 (regarding avoidance of living areas over garages, large openings susceptible to collapse, etc.) would be a most uncommon and unnecessary restriction; current structural design practice recognizes the need for incorporating special structural resistive elements in such situations. The suggestion that current UBC standards are inadequate is unusual. The project design includes no masonry chimneys. Another commenter states that living areas over garages, large openings, prohibition of masonry chimneys, etc., have nothing to do with design standards exceeding the UBC. (167.55, 167.C.1, 192.33)

Response. Comments acknowledged, except the comment that these measures have nothing to do with the UBC. The measures are directly related to the provisions of the UBC. RDEIR page 310 has been revised in response to some of these comments.

Environmental Point G.105. (Mitigation: UBC adequacy.) UBC seismic standards are based on acceleration on the order of .40g. At .70g, most, if not all, structural elements used for restraint will be totally destroyed. The proposed measures in the RDEIR do not exceed UBC standards as suggested. (192.6, 332.5)

Response. Various estimates of relative seismic stability indicate several factors need to be considered. Peak ground acceleration is one factor, but more importantly, is duration of repeating ground acceleration, geology of the site, and type of construction. Although a peak bedrock acceleration could occur at the site due to its proximity to the Hayward fault, because of shallow bedrock conditions, a shorter duration would be expected.

The statement that a 0.7g acceleration will destroy most, if not all, of structural elements used for lateral restraint is without substantiation. Flexibility and earthquake resistance of wood-framed structures is documented in the building industry. Thus, wood-framed construction would be considered one of the better construction types for the area.

Please also see response to Environmental Points G.104 and G.36.

Environmental Point G.106. (Mitigation: access road.) Site-specific studies must precede mitigation. (209.37)

Response. Please see response to Environmental Points G.39 and G.97.

Environmental Point G.107. (Mitigation: secondary access road.) How can RDEIR page 309 measure calling for a secondary access road "not subject to fault rupture" be implemented if the secondary road is also subject to fault risk? Additional emergency access to the east may be difficult to construct. (167.E.2, 225.3, 234.7, 318.1)

Response. The recommended emergency access road to the east would not cross a known active fault trace. Please see response to Environmental Points G.83 and G.84. The difficulties and impacts of constructing an additional emergency access route through the golf course to the east (Golf Links Road) are acknowledged, and are fully described on RDEIR pages 489 through 498. A similar emergency access road connection through the golf course to Golf Links Road was adopted by the City as a condition of approval for an earlier PUD proposal on this site (1970; see RDEIR page 123).

Environmental Point G.108. (Mitigation: secondary access road.) The State Division of Mines and Geology supports the alternative access route from the east through the golf course, since rupture of the Hayward fault to the west could make the road crossing the fault impassible. (271.6)

Response. Comment acknowledged.

Environmental Point G.109. (Mitigation: general adequacy.) RDEIR pages 302-309 list 17 significant adverse geotechnical impacts. RDEIR page 316 says mitigation measures identified in the EIR would mitigate these impacts to less than significant levels. The RDEIR says all measures listed are not part of project and not proposed by applicant. This is "astounding." (197.12)

Response. The comment regarding mitigations not proposed by the applicant being "astounding" reflects a misunderstanding of the fact that CEQA section 15126(c) requires that the EIR distinguish between those mitigations recommended by the EIR and those proposed by the applicant. This RDEIR was prepared independently by experienced EIR consultants under the supervision of the City. The applicants were allowed no direct role in preparing the EIR. The mitigation measures were formulated by the EIR consultants under City supervision. Some of the mitigation measures incorporate proposals or aspects of proposals identified by the applicant's design team in response to impacts identified in the original 1988-1989 Draft EIR. These measures have been identified as "proposed by the applicant." Other additional measures formulated by the EIR consultants are identified as "not proposed by the applicant." These are measures which are clearly not part of the development proposal currently being advocated by the applicant, but which should be required by the City as added conditions of project approval.

Environmental Point G.110. (Mitigation: utility lines.) The recommended fault crossing safety measures for utility lines have never been tested in a 7.5 earthquake. (148.6, 209.4, 339.2)

Response. Please see response to Environmental Point G.55.

Environmental Point G.111. (Mitigation: fault creep.) RDEIR should address how annual fault creep of one inch every three years should be mitigated and paid for. (222.6, 222.12)

Response. The RDEIR recommends flexible utility lines where they cross the Hayward Fault zone. (Please also see Environmental Point G.62.) Creep damage to the main access road, if it occurred, would be an additional maintenance responsibility of the homeowners. On public roads the mitigation is usually limited to more frequent

applications of pavement seal coats or overlays. All ongoing onsite fault-creep-related repair costs would be a project responsibility--see RDEIR page 315. Please also see response to Environmental Point G.87.

Environmental Point G.112. (Mitigation: unbuildable site.) The earthquake faults which crisscross the site and access roads make it unbuildable with no possible mitigation. (219.1, 338.1)

Response. Please see responses to Environmental Points G.34, G.36, G.55, G.57, G.83, and G.108.

Environmental Point G.113. (Mitigation can be achieved.) It is possible to develop projects which have acceptable seismic risk and that have reduced seismic hazards if developers, decisionmakers, and public work together honestly and in good faith. This is not happening with this project. (209.43)

Response. The EIR has been prepared objectively by experienced EIR consultants and consulting geologists, has been completed under the direct supervision of the City, and has been formulated as an unbiased, good-faith, full disclosure document in full compliance with CEQA and City environmental review guidelines. The project will also be subject to additional review by the City beyond that required by CEQA, including consideration of the required general plan amendment, PUD permit, subdivision approval, and other necessary permits and approvals. These approval requirements are described on RDEIR pages 114-117.

Environmental Point G.114. (Notification.) Will notification of seismic hazards be provided in written form? (222.7)

Response. Normal real estate disclosure requirements include providing prospective buyers with information on geotechnical hazards.

Environmental Point G.115. (Liability: city risk.) What would the City's liability be? RDEIR page 315 says there would be no risk of costs falling on the City. Is this true? Will

ownership status of streets affect City liability? How can the City avoid liability from slides, creep, etc.? Is the City going to carry adequate liability insurance? (222.7, 222.8, 222.10, 226.7, 235.21)

Response. The maintenance district and homeowners association concepts described on page 315 for incurring ongoing maintenance cost responsibilities are intended to confine these costs to the project residents. The maintenance district approach would ensure this effect, regardless of whether streets were private or public. The broader questions of legal liability are not the proper subject of an EIR.

Environmental Point G.116. (Future litigation.) Lawsuits will result. Anyone reading the EIR without regard for past nearby geotechnical problems is open to personal litigation. (197.13, 235.24)

Response. The EIR adequately discloses the potential geotechnical impacts of the proposed project, and identifies a comprehensive and adequate program of geotechnical mitigations. The EIR has also been carefully designed, formulated, and extensively reviewed to ensure that the document and the EIR formulation process are in full compliance with all pertinent CEQA Statutes and Guidelines.

Environmental Point G.117. (General.) The Geotechnical Factors section is incomplete. The section is not thorough enough. (197.8, 197.9, 273.1, 273.5, 275.5)

Response. Please see response to Environmental Point G.116.

Environmental Point G.118. (Revegetation timing.) When will vegetation re-establish itself? What type of vegetation will be used? (192.32)

Response. RDEIR page 111 explains that detailed revegetation plans have not yet been prepared. Most revegetation plans call for the application of a hydromulch which can establish itself at a level sufficient to prevent some types of erosion within a few weeks.

Environmental Point G.119. (All geotechnical study findings not presented.) Findings from significant site-specific geologic reports have not been included or have not been fully disclosed in the RDEIR analysis of geologic hazards, including Terratech 1080 (1968), Levish (1969), Terratech 1080A (1969), Cooper, Clark and Associates (1974), Terratech 1080C (1974), Terratech 1080G (1974), Terratech 1080H1 (1987), Terratech 1080H2 (1987), Carpenter (6-6-88), Carpenter (2-20-89), Carpenter (3-18-89), and Carpenter (11-29-89). What happened to the 15-foot fault setback requirement? Terratech 1080A findings should be included in the discussion of site-specific fault investigations on page 295. (148.9, 148.11, 165.23, 206.1, 206.5, 206.9, 206.10, 206.26, 270.2, 303.2, 303.3, 303.4, 303.6)

Response. The Carpenter reports have been prepared for the Sheffield Village Homeowners Association as comments on the 1988-1989 Draft EIR and the 1991 Revised Draft EIR, and have been responded to as such in the RDEIR and in this Final EIR Attachment in keeping with CEQA. (See response to Environmental Point G.82.) With regard to the Terratech, Levish, and Cooper-Clark reports, the findings of these reports have been reviewed and considered by the EIR geologist in completing the Geotechnical Factors section of the RDEIR. In response to this and numerous similar comments, a summary overview of these various reports and their interrelationship to each other is provided below:

With regard to the earthquake faults, Terratech (1968) states the following:

"The Chabot Fault passes through Lake Chabot and extends northeastward through the Municipal Golf Course just east of the subject property. Because of the site's location within a seismically active area, it can be anticipated that it will probably be affected by at least one major earthquake shock during the economic life of the proposed development.

The immediate proximity of the active Hayward Fault has not significantly deterred commercial or residential development. Since the subject site is underlain by bedrock (one of the best conditions for minimizing seismic hazards), in our opinion, planned buildings designed for a relatively high seismic intensity should perform as well as, or better than, other buildings in similar relative proximity to the fault trace."

Terratech concludes that the Dunsmuir site is suitable for residential development.

In 1969, Levish prepared a feasibility report for the Oakland Scavenger Company, a previous owner of the project site. A summary of the conclusions of this report is as follows:

- "(1) There are no unusual seismic hazards, i.e., that are not endemic to the Bay Area, at the site. It appears that this particular site is one of the better areas.
- (2) The major portion of the site is free of active faults (Figures 1 and 3), lying to the east of the active Hayward Rift Zone.
- (3) The other faults (Figure 2) are considered to be inactive as they do not display features associated with active faults.
- (4) Future fault movement will probably take place within the fairly narrow band (Figures 1 and 2) where geologically recent movement has taken place.
- (5) With proper engineering and design, the proposed buildings should survive most seismic events.
- (6) The site is free of major landslides (Figure 3). Only shallow slides and creep are visible.
- (7) The Leona Rhyolite probably can be excavated to a depth of 30 feet below the surface with heavy grading equipment.
- (8) Where fill is to be placed in draws, they should be stripped of all vegetation, a subsurface drainage system installed, and the fill properly compacted and keyed into the bedrock. All work should be done under the supervision of qualified personnel.

- (9) All proposed cut slopes and fill areas should be individually studied and designed in order to avoid future problems resulting from any adverse joint orientation.
- (10) The springs downslope from the water tank should be thoroughly investigated to determine their source."

Mr. Levish further states that, "all of the accumulated geologic evidence indicates that active faults do not suddenly change their habits. Therefore, any future earthquake in this area can be expected along the Hayward Fault zone. Future movement will probably take place within a fairly narrow band where recorded historic movement and present creep are known," and "it is my opinion that engineered homes built at this site on bedrock and properly controlled fill...should survive most seismic events."

In 1969, Terratech performed a supplemental study that included the excavation of five backhoe pits at the east edge of the property. The consultant describes a 1 to 2-foot mantle of sandy clay overlying the bedrock. The report states in regard to faulting:

"In backhoe pits number 2, 4 and 5, we found evidence to suggest the presence of a fault zone. The claystone and matrix material in these pits contained slickensides and were sheared, indicating past movement. This probable fault zone, however, is not reflected in topographic features, and we found no geologic evidence of recent movement. The inferred location of this fault is plotted on the accompanying map."

The logs presented in the report are descriptive text only with no graphical representation available for independent analysis. Of the 5 test pit logs presented, neither Test Pit 1 nor 3 contain any language describing a fault zone, yet is within the alleged zone. The remaining pit logs indicated zones containing slickensides, but no shearing as described in the text of the report is indicated. Test Pit 4 indicates a slickensided zone at a depth of 4.5 feet at the base of a clay unit, yet no fractures, shear zones, offsets or slickensides are indicated in the underlying, older conglomerate unit. Test Pit 5 was entirely within rhyolite bedrock and is described as extensively fractured at random orientation with extensive slickensides. There is no indication of a preferred orientation of movement which would indicate a fault. Rather, it is more likely a result of weathering and regional uplift in geologic time.

None of the test pits were actually excavated across the "mapped" fault and, there are no geomorphic features to indicate a fault. Consequently, the activity status (and even the existence) of the fault was not well established by the Terratech report. Terratech concluded that "from an engineering geology and foundation engineering standpoint, the site shall provide suitable support and performance for the planned development."

In 1974, Cooper, Clark & Associates (CCA) were retained to review two of three suspect fault lineations identified by Terratech. The CCA reports indicate they encountered zones of intensely fractured and hydrothermally altered rock that represent an ancient fault. The CCA report concludes the following:

"There is little evidence available upon which to date activity along these faults. There is no visible evidence in the trenches of any of the faults offsetting the overlying soil mantle. Also, there are no scarps or other definite topographic features visible at ground level to suggest recent fault movement. The general lack of definitive evidence suggests that the faults revealed by the trenches probably have not been active during recent time (the last 11,000 years).

"These faults cut across the Leona Rhyolite; hence, fault movement is at least younger than the rhyolite. We regard most of the faults and shear zones present in the rhyolite as indigenous to the rhyolite and not part of a continuous regional fault along which major movement could occur. The fault at Station 110 feet in Trench No. 7 may be younger than other faults in the area, but here again there is no topographic offset to indicate geologically recent movement. However, these faults do constitute zones of weakness in the bedrock and, as such, could present foundation problems and zones along which subsidence or other movement could occur in response to seismic activity along the active Hayward Fault. A branch of the active Hayward Fault is located near the base of the hills about 500 feet west of the zone of faulting discussed in this report. Because of the nearness of this trace of the Hayward Fault, we recommend that no structure for human occupancy be built closer than 50 feet to these ancient fault traces."

In 1974, Terratech again performed a study of the site. Their subsurface exploration program consisted of logging nine (9) exploratory trenches excavated across lineaments.

Lineament 1 was located 700 feet east of the Hayward Fault. According to Terratech, no geologically recent ground offsets were observed in any of three trenches (T-1, -2 and -3). Nevertheless, Terratech concluded that this lineament was fault-related because the rhyolite bedrock was pulverized; there was a pronounced visual lineament on aerial photographs; magnetic anomalies were evident, and the trend of the lineation is similar in strike to the active Hayward Fault.

Lineament 2 is located further east. Although the text of the Terratech report did not describe encountering a fault, the conclusion was reached that lineament 2 is fault-related. Only two of four trenches crossed this lineament. No offset units were reported, and the only features of concern were fractured, pulverized rock and reported shearing within clay zones that have developed within the weathered rhyolite bedrock. There is no direct evidence of fault displacement in bedrock, nor of geologically recent movement.

Two trenches were excavated to evaluate the geologic significance of the easternmost feature, lineament 3. Terratech concluded that there was no evidence of geologically recent displacement on this fault, and that setbacks were deemed necessary.

It should be understood that at the time the Cooper, Clark & Associates (1974) and Terratech (1974) investigations were performed, the proposed project residential area was included within the State Special Studies Zone (SSZ). According to the CDMG, recently active and potentially active fault traces may exist anywhere in the SSZ. Because of this designation, previous consultants were influenced to recommend setbacks from any fault in the SSZ, however fragmentary the data. In the early 1980's, the CDMG issued a revised map which took that portion of the site out of the SSZ. In effect, the CDMG reevaluated all existing data, including the reports of Cooper, Clark & Associates and Terratech. Based on the preponderance of evidence, it was concluded that the SSZ should be substantially reduced in width to the zone shown in Figure 54.

In summary, the pre-1985 evidence of active faulting on the site was sketchy and inconclusive. The applicant for Dunsmuir Heights chose to reevaluate the area in light of the ambiguities present in prior reports and more recent developments.

In 1985, Purcell, Rhoades and Associates (PRA) conducted a fault investigation with exploratory trenches excavated near Terratech's trenches that crossed Lineaments 1 and 2. It was concluded by PRA that the fractures and weathering characteristics of the rhyolite bedrock were regional and not indicative of an active fault system. Subsequently, on 16 and 17 July 1987, four new trenches were excavated next to and parallel with Terratech in 1974 and those logged by PRA in 1985. These trenches were jointly observed by geologists of Terratech and PRA. *In a letter of 21 July 1987, Terratech was satisfied that there were no continuous or active fault zones, and that no building restrictions outside of the Hayward Fault zone were necessary.* This letter is included in new RDEIR Appendix K in the errata section of this Final EIR attachment. Lineament 3 was not trenched by PRA because the 1974 Terratech report had concluded that this feature did not warrant regulation of land use.

Environmental Point G.120. (Onsite trenching results.) Why did PRA avoid trenching in close proximity to where Terratech trenched? PRA conclusions about structural incontinuity being associated with fractured rhyolite rather than a fault could also be made about Hayward fault in this region, and should not reduce potential for existence of a fault at this location. (148.3, 192.17, 192.18)

Response. Exploratory trenches were excavated near the Terratech trenches. The disturbed ground at the actual location of the Terratech trenches would yield inaccurate results. Please also see responses to Environmental Points G.79, G.80, and G.119 above.

Environmental Point G.121. (Other faults.) Are there other faults on the site besides the Hayward fault. Are there other faults on the upper edges of the project site as suggested by earlier studies? (168.12, 192.18, 206.30, 223.2, 303.1)

Response. Please see responses to Environmental Points G.68, G.70, G.72, G.79, and G.119.

Environmental Point G.122. (Disagreement among experts regarding fault location not disclosed.) There is disagreement among experts concerning the existence of fault traces in the area where houses are planned. RDEIR Figure 51 shows approximate fault trace locations along the northeastern boundary of the site. With regard to fault traces near the eastern boundary of the project site, the RDEIR notes that a branch or parallel branches of the Chabot fault "bisect" the eastern edge of the project site. Terratech (1969) trench studies on this eastern fault zone are consistent with Figure 51. "More recent onsite investigations by PRA found no onsite traces of the Chabot fault." There is no reference to a 1969 Terratech report which found evidence of faulting in three or four trenches. This Terratech study may have been the most detailed specific site investigation of this fault line to date. Terratech (1987) has stated that they "disagree with Purcell Rhoades Identification of the geology at this site." CEQA Section 15151 says the RDEIR should summarize the main points of disagreement among experts. The RDEIR does not do this. Terratech 1080A findings should be included in the discussion of site-specific fault investigations in page 295. (148.9, 203.1, 203.2, 206.2, 206.9, 206.10, 206.14, 206.16, 206.29, 234.6, 234.8, 271.5, 303.2, 303.6)

Response. Please see response to Environmental Point G.119.

Environmental Point G.123. (Disagreement among experts regarding Chabot fault activity not disclosed.) There is disagreement among experts regarding whether the middle and eastern fault traces (see Figure 51) are potentially active. Terratech 1080G (1974) found Lineations 1 and 2 to be subsidiary branches of the Hayward fault and therefore potentially active. Terratech, in collaboration with Cooper, Clark and Associates (1974), recommended 50-foot setbacks on either side of these two lineations. In 1987, after consultation with PRA, Terratech (1080H1) reclassified the faults as inactive. But Terratech did not reclassify the traces as other than faults. Based on their own trenching, PRA interpreted the structural discontinuities not as faults, but as pervasive fractures or weathering patterns within the rhyolite. Terratech 1080H1 states that Terratech disagrees with PRA's identification of geology at this site. This disagreement should be disclosed in the EIR. Also, Carpenter (11-89) after reviewing the Terratech 1080G trench logs states that in one

trench there is a feature which is likely to be a fault, and since it appears in alluvial deposits, "would today be regarded as potentially active unless definitive age data were available." This is another important disagreement between experts and should be disclosed in the RDEIR. (148.9, 206.3, 206.13, 206.14, 206.15, 206.16, 206.17, 206.18, 206.32, 234.5, 270.2, 303.5, 303.6)

Response. Mr. Carpenter's comment regarding station 164 on log A-1 is indicative of the problems and ambiguities encountered in the work of Terratech. Terratech designated stations 45 through 110 as the "delineated fault zone," and gave no recognition to the features Mr. Carpenter describes at station 164.

This ambiguity is an example of why the Terratech report was discounted as definitive and accurate study of fault potential for the site and the area reevaluated by PRA. Excavation of a separate trench adjoining this Terratech trench was performed by PRA and that study did not encounter such a geologic feature.

Please also see responses to Environmental Points G.70, G.72, G.79, and G.119.

Environmental Point G.124. (Information regarding fault traces removed.) The developer's consultants concentrated on removing all traces from the top of the ridge in order to build more houses and avoid suspicious looking setbacks. (209.28, 209.42, 339.12)

Response. The comment is incorrect. The EIR was not prepared by the developer's geotechnical consultants. Rather the EIR was prepared independently by experienced EIR consultants and an independent engineering geologist, Darwin Myers Associates, under the direct supervision of the City of Oakland staff. The project sponsor was allowed no direct role in preparing the 1988-1989 DEIR or the 1991 RDEIR. Regarding the specific issue of faults on the northeastern edge of the site, their location and activity status, please see responses to Environmental Points G.68, G.70, G.72, G.79, and G.119.

Environmental Point G.125. (Figure 54 vs. Figure 56.) Only one landslide onsite is shown on Figure 56, while at least three are shown on Figure 54. How is this discrepancy explained? Will the people at City Hall believe Figure 56? (192.3)

Response. The photointerpretive "slides" indicated by the USGS maps were examined in the field by the project geotechnical consultant. The suspected "slide" areas identified by the USGS were found to consist of topographic swales with slope creep and erosion areas, rather than landslides. Please see responses to similar Environmental Points G.22, G.29, G.31, and G.32.

Environmental Point G.126. (Earthquake-triggered landslides.) What process was used by PRA to locate slides on the site? Why did USGS find several slides and PRA only found one? What is the potential for earthquake-induced sliding? Did the stability analysis include this factor? (192.4)

Response. The scope of the PRA landslide studies included site reconnaissance, exploratory subsurface test borings, and trenching. The exploratory borings and trenches were excavated to explore the depths of soil layers and to identify possible localized weak zones. The photointerpretive slides indicated by the USGS landslide maps were examined in the field as explained in response to Environmental Point G.125 above.

The site area is not listed in the CDMG Special Report 78 (1987) as being within an area susceptible to seismic-induced landsliding. Please also see responses to Environmental Point G.125 above.

Environmental Point G.127. (Undamped bedrock effects.) Undamped bedrock will not amplify the ground motion, but will induce large, accelerating lateral forces at the site. Stability hazards are inherent on structures subject to forces well beyond what they were designed for. (192.20, 192.21, 332.2)

Response. Comment noted. Large, temporary peak bedrock accelerations are expected to occur at the site, but wood-framed structures offer one of the best earthquake-resistant designs. Please see Environmental Point G.36.

Environmental Point G.128. (Additional geotechnical analysis unlikely to be definitive.) The CDMG states that an additional geotechnical analysis of the site would be unlikely to

provide definitive evidence to establish the activity or nonactivity of faults or lineaments crossing the site. (270.1)

Response. Comment noted.

Environmental Point G.129. (ABAG data overestimates impacts.) The applicant's earthquake consultant, Lloyd Cluff, states that the ABAG maps are probably overestimating groundshaking intensity and damage potential. (167.F.14)

Response. Comment noted.

Environmental Point G.130. (Chabot fault sympathetic rupture.) If the Chabot fault were active, a large earthquake on the Hayward fault could cause sympathetic movement on the Chabot fault. Perhaps the eastern emergency access road could be obstructed. (209.6)

Response. CEQA warns EIR's against such speculative impacts. Surface fault rupture is not common for earthquakes below magnitude 6.0, and the minor ground cracks that are typically associated with a 6.0 earthquake will not impede access. The potential for a high magnitude earthquake on the Chabot fault is unknown. The likelihood of simultaneous rupture of both the Hayward fault and the Chabot fault is highly speculative. See response to Environmental Point G.83.

Environmental Point G.131. (Cluff report adequacy.) The Cluff report did little to shed light on previous geotechnical reports. (235.18)

Response. In light of this and similar comments, a summary of the sequence and interrelationships of previous geotechnical reports is provided in response to Environmental Point G.119.

Environmental Point G.132. (Purpose of onsite PRA fault studies.) The geotechnical consultant of record for this project, Purcell, Rhoades & Associates, has never trenched the Hayward Fault Specific Studies Zone, as implied on RDEIR page 294, second paragraph. (167.A.2)

Response. A revised version of page 294 is included in the errata section of this Final EIR (section II) which deletes reference to trenching in this paragraph.

Environmental Point G.133. (USGS Regional Slope Stability Map should be described.) Does the EIR include information in the analysis regarding what the USGS Regional Slope Stability Map of the Southern San Francisco Bay Region in the EIR? (275.1)

Response. Yes. See DEIR pages 284 and 289. Please also see response to related Environmental Point G.21 herein.

Environmental Point G.134. (Mitigation monitoring.) The EIR should address the issues of mitigation monitoring and monitoring funding. (275.6)

Response. These issues are adequately described in RDEIR section VIII, pages 539 through 544.

Environmental Point G.135. (Other onsite landslides.) Several additional landslides also appear to have occurred onsite. These should be mapped and their impacts on the project development and access road should be described. (275.7)

Response. This comment was made in April 1989 before the RDEIR was released. The RDEIR includes an adequate project site specific description of onsite landslide potentials. Please see responses to Environmental Points G.20, G.21, G.22, and G.32.

Environmental Point G.136. (Site slopes.) Slides occur in areas over 15 degree slopes. The EIR states that over 70 percent of the project site has slopes in excess of 30 percent. Slopes over 30 percent are much more likely to slide than lower slopes. The EIR should describe how much of the access road will be built on slopes of 50 percent or more and 30 to 45 percent, and how much of these steep slopes are within the Hayward Fault SSZ. (275.8)

Response. Project and project access road relationships to onsite slope conditions and to the Hayward Fault SSZ are adequately described on RDEIR pages 283, 284, 287, 288, 290, 294, 302, and 303.

Environmental Point G.137. (Geologic Hazards Assessment District.) Has the City requested a Special Geologic Hazards Assessment District? (275.9)

Response. The project development review process has not advanced to the point where the City would make such a request. However, the RDEIR suggests establishment of such a maintenance and mitigation mechanism on page 315.

Environmental Point G.138. (Litigation regarding landslides above Cranford and Revere.) The commenter asked in an earlier public hearing for City Attorney information on possible current litigation regarding landslide activity above Cranford and Revere. (352.1)

Response. The pertinent EIR issue here, historical landslide conditions above Cranford Way and Revere Avenue which may have implications for site stability, and project-related potentials for additional landsliding in this area, is adequately addressed on RDEIR pages 283, 284, 291, 296, 297, 298, Figure 58, 302, 304, and especially 305 and 306. Please also see responses to Environmental Points G.11, G.23, and G.59.

Environmental Point G.139. (Independent review.) Given the various differences in expert opinion in the RDEIR, an independent consultant should be asked to review these differences. (303.7)

Response. CEQA states that differences in opinion among experts do not constitute an inadequate EIR, provided that the differences are disclosed, as they are in this case (see responses to Environmental Points G.119, and G.123). The EIR geotechnical analysis was completed by an independent geotechnical consultant under contract to EIR consultants and under the supervision of the City. The State Division of Mines and Geology, in response to this EIR and the cited differences in opinion, has stated that additional geotechnical analysis is unlikely to be definitive. The RDEIR does include adequate mitigation for the "worst case" seismic and other geotechnical impact scenarios.

Environmental Point G.140. (Retaining wall erosion impacts.) Will the project access road retaining walls have the same kinds of erosion impacts that are occurring today at Ridgemont. (209.44)

Response. Project retaining wall failure impact potentials and associated mitigation needs are adequately described on RDEIR pages 306 and 312.

H. COMMENTS ON RDEIR SECTION IV.E: DRAINAGE AND WATER QUALITY

Environmental Point H.1. (Storm drain standards.) The City of San Leandro requests that the minimum design standard for storm drainage be at least a 15-year storm, and a 25-or-50-year storm would be more appropriate. (54.A.2, 54.B.7)

Response. The significant drainage impacts of the project on the City of San Leandro storm drainage system are limited to the increases in storm water runoff (ten-year storm: 10.18 cfs; 100-year storm: 15.27 cfs) which would be channeled down the primary project hillside access road onto the Peralta Oaks-Foothill Way extension. As stated on RDEIR page 325, this additional storm water would flow directly into the Caltrans culvert under I-580 to the MacArthur Boulevard/Dowling Boulevard intersection where it would flow through a 48-inch corrugated metal pipe (CMP), a 48-inch reinforced concrete pipe (RCP), a five-foot wide arched culvert, before entering San Leandro Creek. The RDEIR identifies the 48-inch CMP as the only part of the system which would not meet Alameda County Flood Control District standards (e.g., 10-year storm). The proposed mitigation (i.e., replacement of the 48-inch CMP with a high capacity pipe) would improve the capacity of this entire drainage system link (from the project site to the San Leandro Creek) to accommodate runoff volumes from a 25-year storm.

Environmental Point H.2. (Cost of drainage improvements.) The City of San Leandro requests that the entire cost of the necessary pipe replacement be made by the developer because the city is unlikely to make changes in the pipe if it were not for the additional runoff created by the project. (54.B.8)

Response. On page 330, the RDEIR recommends that the 200-foot section of 48-inch CMP replacement with a higher capacity pipe should be funded solely by the project applicant.

Environmental Point H.3. (Review of creek erosion.) The City of San Leandro recommends careful review of increases in erosion of creek banks. (54.B.9)

Response. The potential downstream erosion and sedimentation impacts of the project are described on RDEIR page 327 and 328. Mitigation for those impacts is described on page 332.

Environmental Point H.4. (Drainage runoff to the north.) The project-related runoff from the highly developed northwest side (onto the Drinnen property) will contribute more than two percent of the runoff in this area. (98.11)

Response. The quantity of impervious surface which would be created by the project was considered in the calculation of drainage impacts for all drainage basins. The RDEIR conclusions relating to project-generated increases in runoff volume into the overall drainage basin of which the Drinnen property is a part are accurate.

Environmental Point H.5. (Cumulative water quality impacts.) What are the project and cumulative downstream impacts of sedimentation from the project and the landfill at the golf course on San Leandro Creek and the tributary which runs behind Marlow Drive? (102.1, 154.33, 154.44, 165.25)

Response. Sedimentation from the construction of the project and any other land use which disturbs the land and encourages erosion in the same affected drainages has the cumulative potential to substantially reduce the capacity of downstream drainage channels, and consequently creates potential drainage channel maintenance impacts. The project's potential to contribute to such cumulative sedimentation impacts are described on page 329, in the fourth and fifth paragraphs. Measures to prevent these impacts from occurring during project construction are clearly described on RDEIR pages 332 and 333.

With respect to cumulative sedimentation, the RDEIR has been revised on page 320 to acknowledge the landfilling activity on the golf course, on page 329 to describe potential project contributions to cumulative impacts, and on page 333 to address relevant mitigation recommendations.

Environmental Point H.6. (Responsibility for retention basin maintenance.) A public agency should be ultimately responsible for maintenance of retention basins, not a homeowners association. (102.2)

Response. The drainage system maintenance arrangements described on page 331 of the RDEIR would require a homeowners association or a maintenance district to perform the required maintenance of onsite drainage improvements, including the proposed retention basins, under the administration of the City Office of Public Works. The proposed arrangement would minimize City costs, but would not sacrifice City control over these important maintenance activities.

Environmental Point H.7. (Upsizing of drainage pipe on Dowling.) How long will the replacement of 48-inch CMP between MacArthur Boulevard and Fortuna Avenue take? How much compensation will be given to the Pipers Smorgas Buffet for lost business, and how will this compensation be calculated? Will alternative parking be provided? (122.1, 345.1)

Response. The existing 48-inch pipe along Dowling Boulevard between MacArthur Boulevard and Fortuna Avenue is located along the north side of the street, while the access to the Pipers Smorgas Buffer north parking lot is on the south side of the street. Construction activities to upgrade the size of the pipe would not be expected to block access on the south side of the street.

Environmental Point H.8. (Mosquito breeding.) The DEIR does not address the impact of mosquitoes which may breed in the retention ponds. (148.7)

Response. In response to this comment, a description of the identified mosquito problem has been added to the RDEIR on page 327. This potential impact from project retention ponds is not considered to be a significant environmental concern, due to the small size of the ponds and their distance from proposed residences. Nevertheless, language has been added to the drainage mitigation section of the RDEIR to ensure that reasonable steps towards reduction of the potential problem are incorporated into the project.

Environmental Point H.9. (Proof of mitigation adequacy.) Drainage mitigations appear to be adequate; however, more proof will be needed to substantiate their adequacy. (157.14)

Response. The proposed drainage mitigation measures are considered to be adequate. The proposed mitigations do recommend that additional determination should be made regarding the specification of the design of the proposed retention basins. The adequacy of this recommendation is addressed in the note on RDEIR page 333.

Environmental Point H.10. (Destination of drainage course #1.) Drainage course #1 is not mentioned in the list of drainage courses and their ultimate destination on page 319. (167.57)

Response. Comment acknowledged. A description of drainage course #1 has been added to the RDEIR text on page 319.

Environmental Point H.11. (Flooding potentials/dam failure at Lake Chabot Reservoir.) Information relating to flooding potentials on San Leandro Creek following dam failure at the Lake Chabot Reservoir is not relevant to the project. (167.58)

Response. This background information relating to flooding potential upstream of the project on San Leandro Creek was included in the 1991 RDEIR in response to concerns raised during the review of the original 1988-1989 Draft EIR.

Environmental Point H.12. (Location of retention basins in graded areas.) Cut slopes and fills made necessary by the proposed access road would be so extensive that there would be no place to locate the retention basins proposed in the DEIR as mitigation measures. (199.4)

Response. The proposed retention basins would be located as shown on Figure 62. Project engineers have completed preliminary designs for each of the proposed retention ponds and have indicated that the proposed basins are feasible. Final design of these basins will be subject to the approval of the City of Oakland.

Environmental Point H.13. (Ability to mitigate drainage impacts/seismic impacts on drainage system.) The drainage related impacts of the project can never be mitigated to insignificant levels. Stormwater drains buried under the single access road overlaying the Hayward fault is by definition unmitigable. With rupture of storm drains during a major earthquake which occurs during a major rainstorm, Sheffield Village would be flooded. (235.25, 317.2)

Response. The RDEIR adequately addresses the drainage related impacts on pages 320 through 329 and recommends measures to mitigate identified impacts to less than significant levels on pages 330 through 334. Structural failure of drainage systems is addressed on RDEIR page 327. Please also see responses to Environmental Points G.39, and G.55.

Environmental Point H.14. (Drainage drawbacks of access with bridges.) The RDEIR should state that the single road access designs with bridges would not include the drainage benefits associated with the drainage ponds which would be included with design without bridges. (167.79)

Response. See response to Environmental Point O.15.

Environmental Point H.15. (Erosion control oversimplified.) Erosion control on steep terrain is not as simple as described on RDEIR page 332. It is complex and technically difficult and requires diligent, competent, and almost continuous attention from the project design engineer, City staff, and the grading contractor. The effectiveness of this mitigation cannot be assumed. (102.3)

Response. Due to the difficulty in ensuring implementation of erosion control measures, the RDEIR recommends on page 332 that a more detailed erosion control plan be prepared and submitted with the final development plan. In addition, the Mitigation Monitoring Program required by AB 3180 (and discussed in RDEIR section VIII) is intended to ensure compliance with difficult mitigation measures such as erosion control.

Environmental Point H.16. (Landfill water quality impacts.) Water quality from the stream flowing near the landfill in the Lake Chabot Golf Course is "acutely toxic" or "intermittently toxic" to laboratory test fish. (165.24)

Response. Comment acknowledged. The RDEIR discussion on page 320 of existing water quality in the project vicinity has been revised (see section d) to include this information.

Environmental Point H.17. (Upper Cranford storm drain system) The upper Cranford storm drain system was adequately addressed in the RDEIR. (317.1)

Response. Comment noted.

I. COMMENTS ON RDEIR SECTION IV.F: NOISE

Environmental Point I.1. (Lack of adopted noise standards/inconsistency with policy.) The state's standards should not and cannot substitute for local noise standards. The DEIR states that the project is inconsistent with the City's *Noise Element* but does not identify any significant noise impacts. (78.6)

Response. Noise impacts can be easily quantified and compared to relevant standards to demonstrate the level of anticipated impact. In the absence of adopted local noise standards, it is appropriate to use state standards. These state standards are suggested for use as guidelines by the OCP Noise Element. With respect to RDEIR statements about general plan consistency, the RDEIR identifies the project as inconsistent with various City general plan policies prior to implementation of recommended mitigation measures. After implementation of recommended mitigation, the impacts would be less than significant and would be consistent with the City noise policies listed on RDEIR page 357.

Environmental Point I.2. (Home values on Turner Street.) The "through access" alternative of the project would disrupt property values of homes on Turner Street by increasing noise. (98.62)

Response. The RDEIR addresses noise impacts of the "through access" alternatives (which would pass closely by Turner Avenue) on page 506, paragraph two. Project impacts on nearby home values is not a relevant topic for discussion in the EIR; however, it may be appropriate during review of the project itself.

Environmental Point I.3. (Construction period impacts on home values.) How will the estimated five years of construction related noise affect home values of nearby residences? (162.2)

Response. The construction period noise impacts of the project are described on RDEIR pages 347 through 351. Mitigation measures are recommended on RDEIR pages 355 and 356. The RDEIR addresses the environmental impacts of the project and its impact on Municipal Services and Fiscal Factors. The RDEIR does not

address the monetary impact of construction period noise impacts. It is possible that the noise impacts could affect the marketability of affected homes during the construction period; however, these impacts would be temporary and would not affect the long-term value of surrounding residences.

Environmental Point I.4. (Assumption relating to Peralta Oaks Drive-Foothill Way extension.) The RDEIR should not assume that the Peralta Oaks Drive-Foothill Way extension would not be implemented (and the associated cumulative noise impacts would not occur) if the project was not completed, because the extension is part of the OCP. (167.60)

Response. It is unlikely that the extension (which is a part of the OCP) would occur in the near future without the project. However, in response to this comment, the RDEIR (page 346) text has been modified to reflect that such a connection is called for in the OCP and could take place sometime in the future without the project.

Environmental Point I.5. (Source of noise wall mitigation.) The proposed noise wall mitigation described on RDEIR page 482 is proposed by the applicant. (167.80)

Response. Comment acknowledged. However, the design and noise abatement performance criteria described on pages 352 and 482 of the EIR are proposed by the EIR consultants.

Environmental Point I.6. (Noise environment at the Dunsmuir House.) The project should not disrupt the unusual quiet and serenity at the Dunsmuir House and Garden. (181.1)

Response. The noise impacts on the Dunsmuir House and Garden are addressed on page 342 of the RDEIR (in section IV.F.2.a(1)(1a)).

Environmental Point I.7. (Sound walls around the Dunsmuir House.) Acoustical sound walls should be constructed along the south property line of the Dunsmuir House and Garden project to minimize noise impacts. (181.2)

Response. The RDEIR analysis of noise impacts of project traffic on the Dunsmuir House and Garden (on page 342) explains that the parking and maintenance areas would buffer project-related noise increases that would otherwise affect the active areas of the Dunsmuir House and Garden complex. As described in the RDEIR, these impacts would be less than significant and therefore, would not merit the construction of a sound wall along the southern property line of the Dunsmuir House grounds.

Environmental Point I.8. (Significant noise level standards.) What level of noise (in decibels) is considered insignificant by the EIR consultant? Is 60 dBA the upper limit of the City's outdoor residential standard? (191.1)

Response. The RDEIR noise analysis identified noise impacts to be significant based on the state-recommended Land Use/Noise Level Compatibility Standards shown on Table 23. Since the compatibility standards show a range of compatibility, the RDEIR analysis did not use a specific decibel level to determine significance of impacts. As stated in the RDEIR the City does not have adopted noise standards; however, the guidelines used by the City shown in RDEIR Table 23 indicate that outdoor single-family residential environments are "normally acceptable" up to 60 dB. However, Table 23 also shows that outdoor single-family residential environments are "conditionally acceptable" up to 70 dB.

Environmental Point I.9. (Existing noise levels.) What is the current level of noise found in the area? (191.2)

Response. Existing noise levels are described on RDEIR pages 338 through 341 and are summarized in Table 24.

Environmental Point I.10. (Visual impacts of sound wall.) How can a six-foot high noise barrier carved into a hillside be designed to be visually insignificant? Why doesn't the RDEIR address the impact of the noise wall on adjacent residents? (191.3, 349.3)

Response. The proposed noise barrier would not be "carved into a hillside" but would be constructed alongside the project access road. The RDEIR Visual Impacts section recognizes on page 198 that the sound wall would have significant visual impacts on

the rear yards of residences on Marlow Drive. The mitigation recommendation for noise walls in RDEIR section IV.F., page 353 includes provisions to maximize visual compatibility with adjacent homes through a combination of architectural treatments and landscaping; however, these impacts would not be reduced to less than significant levels. This mitigation currently found in the noise section has also been added to the visual impact mitigation section on page 207.

Environmental Point I.11. (Assumption relating to Peralta Oaks-Foothill Way extension.)

The noise impact calculation seems to be based on the fact that if Dunsmuir Heights is not built, the Peralta Oaks extension to Foothill Way would not be built. The RDEIR authors should not make such cavalier judgments. (250.1)

Response. The noise analysis in the RDEIR is designed to calculate the potential noise impacts of the project as proposed. Because the project would involve the extension of Peralta Oaks Drive to Foothill Way, the resultant condition must be included as a part of the noise analysis. However, in response to this and other similar comments, the RDEIR text on page 343 has been revised to acknowledge that the connection could eventually occur anyway without the approval and construction of the Dunsmuir Heights project.

Environmental Point I.12. (Noise wall figure.) Why are not all the individual Sheffield Village homes to be impacted by the 12-foot sound wall shown in Figure 65? (235.26)

Response. Figure 65 shows the location of the proposed six- to eight-foot high sound wall between the proposed Foothill Way extension and Dunsmuir Heights Road, and Sheffield Village. The visual impacts of the noise walls on adjacent homes are described on page 198.

Environmental Point I.13. (Effectiveness of sound wall.) The sound wall may not be effective. Dirt bikers on the site can currently be heard from many miles away. (349.4)

Response. The use of sound walls is a proven method of mitigation for the purpose for which they are proposed with this project (i.e., to screen residences from traffic

noise). Homeowners association CC&Rs commonly contain provisions to prohibit dirt biking and it is anticipated that the proposed project CC&Rs would contain such provisions.

Environmental Point I.14. (Offsite water line construction noise impacts.) EBMUD states that if the EBMUD water line extension to the project follows the alignment alternative through the golf course, a portion of the work could be performed at night to minimize impacts on golf course operations. This option would have to be limited to areas where there is sufficient distance between houses and the pipeline construction activities to mitigate associated construction noise impacts. (157.13)

Response. Page 350 of the RDEIR have been revised in response to this comment.

J. COMMENTS ON RDEIR SECTION IV.G: MUNICIPAL SERVICES

Environmental Point J.1. (Methodology for determining fire and police needs.) The per capita approach to determine police and fire service needs overstates the burden that the project would generate. The per capita approach is not endorsed by the City. (92.1)

Response. As stated on RDEIR page 411, that the per capita method used would tend to overstate the project's impact. The fiscal analysis intentionally took a conservative approach.

The EIR fiscal consultants neither intended to indicate nor imply that the analytical technique used either was or was not endorsed by the City. The consultants examined various budget documents and other data provided by City staff, and talked to many City staff members during the course of the study. During the course of the review and analysis, the consultants found no explicit staffing standards related to population or any other measure of service demand being used by any of the City services considered. The City of Oakland prepares only a line-item budget, and does not attempt to identify expenditures by program.

Please see response to Environmental Point J.87.

Environmental Point J.2. (Police service impacts.) The analysis of police service impacts with respect to the needs created by the project for Full-Time Equivalent (FTE) personnel is in conflict with footnote 6 on page 360. ("It is neither City of Oakland nor Oakland Police Department policy to staff the department based on a per capita ratio. The per capita staffing is circumstantial. Nevertheless, such per capita figures provide a basis for considering the relative impacts of anticipated population increases.") Explain the differences in FTE data in this and the December 1988 DEIR. (167.61)

Response. Please see the response to Environmental Point J.1 above. The 1988 DEIR FTE estimate was based on 1.3 officers per 1,000 residents. As stated on page 361 of the 1991 RDEIR, the 1991 RDEIR FTE estimate was based on ratios of 1.47

FTEs per 1,000 in the Field Operations Division and 0.60 per 1,000 for the Investigation Division.

Environmental Point J.3. (Routine police patrol.) How will the Police Department be able to routinely patrol this area? The proposed street restrictions could increase vulnerability to burglary, other crimes against property, and traffic problems. (216.3)

Response. Since completion of the RDEIR, the City of Oakland Police and Fire Departments (Deputy Police Chief Nichelini and Fire Chief Stark) have drafted a policy regarding emergency vehicle access to residential developments. Adherence with this policy would allow routine patrol and limit increases in crimes against property and traffic problems. The policy reads as follows:

The Department's policy is to have unimpeded emergency access to all residential developments. Such unimpeded emergency access precludes the necessitated use of any device or procedure which delays an emergency vehicle attempting to gain entry to the development. Access for routine patrol and inspection (non-emergency) must be provided at all times without requiring personnel or equipment to carry any additional keys, cards or other physical items in order to gain entrance to such developments. Upon approval of the Department, residential developments may install security gates or other barriers approved by the City to restrict public access to private street systems in accordance with the policies of this section.

Gated entries manned 24 hours every day are deemed to provide unimpeded emergency access and routine access for patrol inspection.

Unmanned gates must provide exit-on-demand features. Access for non-emergency routine patrol and inspection of the development may be provided by a key switch keyed to the City's call box system since that key is presently carried by police and fire personnel. The key switch must be installed within 12 inches of the device provided for occupant access. All unmanned gates must be capable of being activated (opened) by the sound of the standard emergency vehicle siren "yelp" mode which urgently oscillates up and down within a narrow frequency band. When the gate is opened by this sound trigger, it must be locked open for a minimum of fifteen minutes

to provide for entry of additional emergency vehicles which may be responding to the same emergency. To prevent accidental activation of the gate by passing sirens, the system may require the combination of receiving the "yelp" siren and the presence of a vehicle on the approach loop of the gate in order to trigger the gate opening.

Every unmanned gate shall have a securely attached notice centered left to right on the gate and installed so the top of said notice is 5'0" above the street. The notice shall have a minimum size of 30" x 30" and shall state in letters no smaller than 2" in height, "THIS GATE CAN BE ACTIVATED BY EMERGENCY VEHICLES USING THE SIREN "YELP" MODE."

The department does not recommend any specific brand or manufacturer of a device to receive a "yelp" tone for gate operation; however, the department is aware of at least one such device manufactured by Security Operating Systems (SOS), 1742 Targhes, Twin Falls, ID 83301.

It shall be the responsibility of the development owner to provide for access by all public and private utility companies requiring access to the development as well as access acceptable to the United States Postal Service.

Pages 107, 229, 361, 362, and 363 of the EIR have been revised to include this policy in the discussion of emergency vehicle access.

Environmental Point J.4. (Access improvements induce crime.) The EIR indicates a possible bicycle and walkway path through the golf course. This will induce crime, in particular to the houses that back up to Turner Street, because it would provide an easy exit for burglary. (134.8)

Response. Mitigation 4(a) on page 395 has been revised to address concerns regarding crime. However, as described under the response to Environmental Point F.29, the security and vandalism impacts of such a path would be largely unavoidable.

Environmental Point J.5. (Impacts on police service during initial phases.) The EIR examines funding of police services beginning in the fifth year. What about earlier years when residents are present, but other phases of the project are still under construction?

Also, why is the projected cost for increased police services the same in 2001 as it is in 1995? Is there no inflation or cost of living increase anticipated? (196.5)

Response. The fiscal analysis does not state, recommend, or intentionally imply that police services would not be needed or that additional capacity should not be added to the Police Department until year five. The analysis simply looks at what would happen in year five and in year ten. While earlier years were not examined in the analysis, it is clear that both the revenues and the demand for City services generated by the proposed project would be lower than in the fifth year. In order to remove the distorting effects of inflation, the results of the fiscal analysis were stated in dollars of constant purchasing power, sometimes referred to by economists as "real dollars" (see RDEIR page 405). The explicit assumption is made that all prices, including unit labor costs for city personnel, will inflate at a rate of five percent per annum.

Environmental Point J.6. (Mitigation of impacts on police and fire services.) The only way to provide necessary police and fire services is to include annual funds from the development especially earmarked to support the increase in adequate fire and police protection, i.e., additional personnel to provide actual 24-hour additional forces not calculated on a per capita basis. (14.3)

Response. As explained in the fiscal impacts section of the EIR on pages 412 and 413, the project would produce an annual revenue surplus to the City. The comment that the only way to provide necessary police and fire services is to earmark annual funds from the development is incorrect. While a Mello-Roos Community Facilities District could be established to pay for police and fire services to the project, such a measure would not be practical, according to the EIR fiscal consultant, Angus McDonald and Associates. Moreover, the budgets for the police and fire departments are paid for out of the City general fund, and City general fund allocations are based on policy decisions made by the Mayor and City Council.

Environmental Point J.7. (Police backup from San Leandro.) Will San Leandro provide police backup to the project? (Refer to page 359.) If not, will additional police services be required beyond those indicated in the EIR? (228.58)

Response. As stated on page 359 of the RDEIR, *"The Oakland and San Leandro Police Departments have a mutual aid agreement for backup emergency service assistance upon request of either department."* The agreement is implemented on a case-by-case request basis. There is no reason to assume that the mutual aid agreement would exclude the project site.

Environmental Point J.8. (Additional fire personnel as mitigation is inadequate.) The two additional firefighters proposed as mitigation in the EIR for Station 26 would not reduce fire service impacts. A station needs four firefighters per shift and one engine. The cost of four additional firefighters per shift and another engine at Station 26 or at the reactivated old station on Golf Links Road (Station 17) is a minimum of one million dollars per year plus equipment, not the \$183,000 allocated to be a City expense. In all probability, if the project is passed, no additional fire service personnel or equipment will be budgeted. This will seriously degrade the level of service in the whole of southeast Oakland. (7.1, 7.2, 98.60, 225.1, 222.47, 305.1, 326.2)

Response. There are two separate issues related to the provision of Fire Department services to the proposed project. The first issue is whether response times from current fire stations to the proposed project would be acceptable to the City. The second issue is how much demand the proposed project would generate for Fire Department services (i.e., how many additional calls for Fire Department services would be generated).

With respect to response times, the Performance Measure Target for 1989/90 in the 1988/89 Adopted Policy Budget is an average response time of three to five minutes. (The City's 1988/89 Adopted Policy Budget does not state an explicit response time Key Objective, but does state the following Key Objective for the Fire Operations Division: *"To perform 99 percent of emergency and rescue operations without public complaint."*) This Performance Measure Target would not be affected by the project since the expected calls for service from the project would be so low that they would have no significant effect on citywide averages.

It should be noted that there is no consistent or absolute rule, goal, or policy regarding fire response times among local jurisdictions in California. The City of Hayward Fire

Department, for example, has a goal of responding to 90 percent of Fire Department emergency calls (first responses) within five minutes."¹ The San Ramon Valley Fire Protection District has the following stated policy: "The District shall strive to achieve a total response time of five minutes and/or 1.5 miles from the first-due station for 90 percent of all emergency responses."² The City of Berkeley Fire Department has a response time goal of five minute for all emergency responses.³ The decision about whether five to six minute response times to the proposed project would be adequate is a policy decision to be made by the Oakland Planning Commission and City Council. The RDEIR recommends a number of fire suppression measures to offset the response time-related impacts of the project, including installation of Fire Department approved automatic sprinkler systems and other built-in protections.

The Oakland Fire Department has a goal of a four minute response time, as stated in the letter of November 1, 1990 by former Fire Chief, Godwin Taylor (RDEIR Appendix E). In that letter, the Fire Chief states that the Department's four minute response time goal to the proposed project "cannot be met with current fire station coverage." The RDEIR estimated that the response time to the main entrance of the proposed project would be about four minutes, and that the travel time from the main entrance to the residential areas would vary from one to two additional minutes (RDEIR page 368). Thus, the response time to the proposed project's internal residential areas would be expected to be five to six minutes, exceeding the Department's four minute goal by from one to two minutes, and being from zero to one minutes greater than the City's adopted Performance Measure Target average response time of three to five minutes. The RDEIR states that "*various existing upland neighborhoods in Oakland are subject to response time deficiencies*" (page 368).

Regarding the question of whether reopening Station 17 would be required to adequately mitigate the impacts of the proposed project on fire services, the EIR fiscal

¹Steve Jolly, Hayward Fire Department, personal communication, March 26, 1991.

²Assistant Chief Rick Probert, San Ramon Valley Fire Protection District, personal communication, February 11, 1991.

³Assistant Chief Gary Bard, City of Berkeley Fire Department, personal communication, March 25, 1991.

consultants engaged the services of an experienced and qualified fire consultant, Chief Bryce Connick. (Chief Connick has 26 years of service in public fire protection, including ten years as a fire chief, and over ten years of experience as a fire consultant.) Chief Connick made the following comments:

"After careful review, it is my opinion that reinstatement of this closed fire station [Station 17] is not justified by the development proposed for the subject property. I believe that the development as is proposed will not significantly increase the emergency response workload of the Oakland Fire Department, nor will it present any unusually significant fire suppression problems."

A copy of Chief Connick's letter is included in the revised RDEIR Appendix E included in the errata section of this document.

On this basis the service demands generated by the proposed project would neither require nor justify the opening of a new station or the reopening of Station 17.

It should be noted that Chief Taylor identified in this letter of November 1, 1990, the need to "reopen and staff Station 17" due to exceedance of the four minute response time goal, the lack of a reliable alternative route in the event of a major earthquake, and the special life safety issues raised by the townhouse units.

The second issue relates to the demand that the proposed project would place upon Fire Department resources. Expected calls for service would fall into three broad categories: residential fire calls, other fire calls, and emergency medical services calls.

Residential fire calls are relatively infrequent events. Data on fire incidents by type of property (often referred to as type of occupancy) are available nationally from the National Fire Protection Association (NFPA), for the State of California from the State Fire Marshal, and for many cities within California from their Fire Departments. The incident data available from the City of Oakland for this study included only total structure fires. Table J.1 presents residential fire incidence data for the U.S., California, and five cities from which the EIR fiscal consultants were able to obtain

data. (The City of Oakland was unable to provide comparable data.) These data are for all residential units within a subject area, not just for new units.

Table J.2 indicates that the incidence of residential fires has declined substantially over the past decade. The table shows the total number of residential fires annually for the U.S. Even though the residential stock steadily expanded over this period, the total number of residential fires has shown a significant downward trend.

Using an incidence rate of 0.4 percent, based on the statistics shown in Table J.1, the proposed project would be expected to generate approximately two structure fire calls annually. The 0.4 percent incidence rate is conservative; that is, it probably overstates the residential fire incidence rate for new middle income housing, as indicated by Table J.2.

There have been several studies of the relationship between fire incidence and socioeconomic status. These studies have found that fire incidents (per unit or per capita) are substantially greater in poorer areas than in affluent areas (see, for example, "How Being Poor Affects Fire Risk," Fire Journal, January/February 1989, and "The Effect of Demographics on Fire Rates," Fire Journal, January, 1978). Based on that research and on discussions with fire officials in many cities, including Oakland, it would be expected that the incidence of structure fires in the proposed project would be significantly lower per unit than for some other parts of the City of Oakland, and lower than the overall City average.

In addition to fires occurring at residential properties, the proposed project might also contribute to other kinds of fire calls, the most common of which would be automobile fires. The City of Oakland responded to 1,367 fires in all types of vehicles in 1989 (including freight and other commercial vehicles as well as private passenger vehicles). Making an allowance for commercial vehicle fires (but no other adjustments such as age of vehicle or characteristics of the driver), the proposed project might yield three vehicle fires annually somewhere in the City of Oakland.

The largest volume of emergency calls to the Oakland Fire Department is (as is the case generally for fire departments in California) for emergency medical services

Table J.1
RESIDENTIAL FIRE INCIDENCE

<u>Area</u>	<u>Year</u>	<u>Number of Residential Fires</u>	<u>Number of Housing Units</u>	<u>Incidence Rate (percent)</u>
U.S.	1987	543,500	90,888,000	0.60%
California	1988	42,393	10,841,605	0.39%
Berkeley	1989	197	47,048	0.42%
Hayward	1988	164	40,640	0.40%
Santa Rosa	1988	216	49,502	0.44%
West Sacramento	1988	82	11,840	0.69%
Lodi	1989	89	19,324	0.46%
Vacaville	1988	82	19,993	0.41%

SOURCE: Angus McDonald & Associates, 1991. Based on (1) fire data from National Fire Protection Association, California State Fire Marshal, and Fire Departments in the identified cities, and (2) residential stock data from U.S. Census Bureau and Demographic Research Unit, California Department of Finance.

Table J.2
RESIDENTIAL FIRES IN THE UNITED STATES

<u>Year</u>	<u>Number of Fires</u>
1980	757,500
1981	733,000
1982	676,500
1983	641,500
1984	623,000
1985	622,000
1986	581,500
1987	551,500
1988	552,500
1989	513,500

SOURCE: "US Residential Fire Problems," National Fire Protection Association, 1991.

(EMS). In 1989, for example, the OFD responded to a total of 38,207 calls for service (based upon data provided by the OFD). Of that total, 27,495, or approximately 72 percent, were responses to EMS calls. Data on the type of call or by the type of occupancy of EMS calls are rarely available. Neither the NFPA nor the State Fire Marshal's Office currently have such data available. The only city for which data could be acquired was the City of Lodi which coded its EMS call data by land use type for purposes of a recent study. The Lodi data for 1989 show a residential EMS incidence rate of slightly over 4.5 percent.

In other words, residential EMS calls equal about 4.5 percent of total residential units. The Lodi data are as follows:

Total number of EMS calls	1,320
EMS calls to residential areas	878
Number of housing units	19,324
Incidence rate	4.544 %

Using the Lodi incidence rate for EMS calls, the proposed project would be expected to generate approximately 23 EMS calls annually.

Research on the relationship between EMS calls to fire departments and socioeconomic status is not readily available. However, the anecdotal information from fire officials in many cities is that the incidence of such calls is far higher in poorer areas than in more affluent areas. The incidence of such calls from the proposed project would be expected to be significantly lower than from some other parts of Oakland and lower than the overall City average.

Adding the estimates above of expected calls for fire service for various classes of emergency response incidents, and including an allowance for false alarms and other miscellaneous emergency calls, yields the following estimates of expected annual calls for service from the proposed project:

Residential fires	2
Vehicle fires	3
EMS calls	23
Miscellaneous	<u>5</u>
Total	33

On the average, the proposed project would be expected to generate substantially less than one emergency call for service from the Fire Department per week. The most frequent call would be for EMS, and these calls are responded to with a single engine. The project increase in Fire Department emergency service workload would be small. Consequently, there is no basis for a speculation that the proposed project would reasonably be expected to substantially diminish Fire Department resources available to respond to emergency calls elsewhere in the City.

Environmental Point J.9. (Feasibility of and responsibility for a fuel management plan.)

An effective fuel management plan is expensive and would require funding. Would the City of Oakland be expected to fund such a plan? If so, the costs need to be made public. (7.5)

Response. As stated on page 370 of the RDEIR, the vegetative fuel management plan would be implemented through the project homeowners association. The homeowners association would fund the fuel management plan. The City would not be expected to fund the plan.

Environmental Point J.10. (Implementation responsibility of wildfire mitigation.) There is contradictory information in the RDEIR regarding who is responsible for implementing the vegetative fuel management plan. (228.42)

Response. Page 370 of the EIR has been revised to make it clear that the homeowners association and the project sponsor would be responsible for the vegetative fuel management plan mitigation measure. The project sponsor would be responsible for formulating the plan and the homeowners association would be responsible for implementing the plan.

Environmental Point J.11. (Effectiveness of mitigations against wildfires, potential for fires on adjacent open space, timing of the mitigation.) Explain how sprinklers, etc., will mitigate the risk of wildfires on this site. Please examine the increased potential for wildfires on the adjacent open space areas as a result of the project. The RDEIR does not describe the increased fire hazard to EBMUD-owned watershed lands. Mitigation of this concern should be required prior to project approval. (157.15, 228.25, 228.37)

Response. Were a fire to occur within a residential structure, fire sprinklers and other identified mitigation measures including fire/smoke alarms, fire retardant roofs, and a vegetative fuel management program, would reduce the risk of fire spread beyond an individual housing unit, thus reducing the risk of igniting a wildland fire. (Residential fire/smoke alarms are intended to reduce the time between fire ignition and detection. Earlier detection results in earlier intervention and, therefore, reduced risk of fire spread beyond the involved structure. Fire retardant roofs reduce the risk of fire ignition in the roof structure, and would result in reducing both fire risk and the risk of fire spread. A vegetative fuel management program would reduce the risk of wildfire ignition as well as the risk of fire spread from the wildlands to residential structures.)

The potential for wildfires on the adjacent open space areas as a result of the project is discussed in the RDEIR. As stated on page 366 of the RDEIR, ". . . *the proximity of the proposed residential development to open space areas with brush and other vegetation would present a greater wildfire hazard, particularly in the dry summer months. . . Unless properly abated, this wildfire hazard would constitute a significant adverse impact.*"

Mitigation of these wildfire hazard impacts could be reduced to a less than significant impact through implementation of mitigation measure (1) identified on pages 369-370 of the RDEIR. The City would adopt mitigation measures as conditions of approval as part of the project development review process.

Environmental Point J.12. (Mitigation of wildfire across main access road.) Explain how the proposed mitigation (3b) would provide adequate protection in the event of a wildfire that blocks entry along the main access road. What will happen when there is a fire and one fire truck is parked along the roadway? The roadway would not provide the standard 20 feet of working clear area required by the Fire Department. (216.1, 228.38)

Response. Mitigation 3b on page 371 of the RDEIR includes fire protection measures such as automatic residential sprinkler systems and fire-resistant building materials, which would reduce the potential for a wildfire starting as a result of the project. However, as discussed on page 371 of the RDEIR, the most important mitigation

measure recommended in the EIR to address fire protection ". . . in an event of a wildfire that blocks entry along the main access road" is mitigation (2) on page 363 of the RDEIR which recommends that an alternative emergency access be provided (the project sponsor has proposed one emergency access road on the west side of the project at Cranford Way) that extends northeast from the project residential areas through the golf course to Golf Links Road, for use in the event of a disruption of access on the west side (fire, fault rupture etc.).

Page 229 of the RDEIR appropriately identifies the impact of inadequate clear area required by the Fire Department. As stated on page 263 of the RDEIR, *"The three single roadway design approaches [proposed as mitigation in the RDEIR], in addition to meeting city roadway gradient standards, would provide adequate emergency vehicle clearance and would result in reduced cut-and-fill volumes and reduced tree losses. The crib wall and bridge schemes would also result in a reduce visual impacts. Neither of these three alternatives would introduce significant additional adverse environmental impacts."*

Environmental Point J.13. (Liability for damage due to wildfire.) Would neighboring parties be liable for damage occurring to the proposed project as a result of wildfires beginning on those properties? Will the proposed homeowners association be liable for fires starting on the "common" open space areas proposed? (228.39)

Response. The issue of liability for fire damage is a determination that would be made by insurance carriers in the event of such a fire. The proposed homeowners association would have an insurance policy to cover liability for fire damage resulting from fires in the common open space areas. The insurance policy would apply if it was determined by the involved insurance companies that the association was in fact liable for the fire.

Environmental Point J.14. (Liability for fire mitigation implementation/monitoring responsibility.) Explain who will be liable if mitigation measures are not maintained? Who will be liable in the event of lawsuits arising from failure to maintain the following mitigation measures?

- Adequate emergency vehicle access to permanent open space

- Fuel breaks between wooded areas and houses...removal of sage scrub...replacing removed vegetation...
- Maintaining ongoing vegetative fuel management plan
- Use of low-fuel native species, balancing water use, fuel load, visual screening, and habitat enhancement
- Deed restrictions regarding clearance of flammable materials around project structures (note many are multifamily structures)

Explain who will be responsible for monitoring the proposed mitigation. What is the monitoring schedule? What official party will be responsible for implementation verification? Will the Fire Department be responsible for monitoring to insure compliance? (228.43, 228.44, 228.45)

Response. Please refer to response to comment J.10 above and page 370 of the RDEIR regarding implementation responsibility. In the event of a lawsuit, the judge or jury would determine liability.

Chapter VIII of the EIR contains a suggested mitigation monitoring checklist. However, as stated on page 541 of the RDEIR, *"A project-specific monitoring program would be required by the city for implementation subsequent to EIR certification. Monitoring specifics of the program would be formulated after City Planning Commission and City Council action on the project in order to ensure that those mitigation measures that are ultimately required as project changes or conditions of project approval are implemented in the form intended by the Commission and Council."* Questions regarding the monitoring schedule and responsibility cannot be answered until a project-specific monitoring program is prepared. There are no requirements that this information be included in an EIR.

Environmental Point J.15. (Recommended fire mitigations as standards.) Mitigation measure (3b) sprinklers, alarm boxes, etc., are required for all projects in the hill areas. Thus, proposed mitigation measure (3b) is not really a mitigation. The measures proposed are standard, as in standard Uniform Building Code (UBC) measures for fire protection, for

most isolated hill areas subject to wildfire danger as well as many new development proposals. How do the proposed measures in mitigation (3b) differ from or provide additional protection beyond that of the National Fire Protection Association (NFPA) residential standards, UBC construction standards for fire protection, or the City's existing hillside fire protection policies? Mitigation (3b) does not appear to be a mitigation. Explain why it is used as such in the EIR and the fiscal analysis. (190.3, 228.24, 228.33, 228.34, 228.35, 228.36, 228.41, 228.72)

Response. The proposed fire mitigation measures are typical of those recommended by many organizations, codes, and policies in many cities in California for mitigating residential fire impacts in hillside areas. The recommended mitigation measures go well beyond the requirements of the 1988 Uniform Building Code (which has been adopted by the City).

As stated on page 364 of the RDEIR, the city has a hillside fire protection ordinance, the 1986 North Oakland Hills Fire Protection Ordinance. As stated on page 364, the ordinance specifically applies to a geographical area that does not include the project site.

Environmental Point J.16. (Fire service needs mitigation; validity and effectiveness of such mitigations.) The present fire facilities are too remote and equipment quantities inadequate to support this additional project load. The project should fund a fire station and provide funds to the City to man it at a location nearer the site.

A requirement is recommended to provide a minimum of 2,500 gallons per minute. This should be mandatory and should be at the full expense of the project.

The Fire Department proposed mitigations, opening a station and providing a secondary access from Golf Links Road and a sprinkler system would mitigate for the long, probably eight or nine minute response time to the project. (98.13, 190.3, 190.4)

Response. Please refer to response to Environmental Point J.8 regarding the EIR conclusion that a new fire station is not needed to provide adequate fire protection for

the project. Water line extensions and improvements to provide for Fire Department required fire flow would be funded by the developer.

Environmental Point J.17. (Fire hazard mitigation measures.) All measures identified under mitigation measure (1) on page 369 of the RDEIR are currently proposed by the project sponsor. (167.62)

Response. Page 370 of the RDEIR has been revised to indicate that the measures are proposed by the project sponsor.

Environmental Point J.18. (Reopening of Station 17/Fire Department recommended conditions of approval versus RDEIR mitigations.) The RDEIR did not recommend reopening and restaffing of Fire Station 17 as recommended by the Fire Department. The mitigations chosen instead were dropped because of economic feasibility, not based on merit. Correct the EIR to include each of the following mitigation measures: (1) reopen and restaff Station 17, (2) provide access from Golf Links Road, and (3) provide residential sprinkler systems in all units. The RDEIR says that incorporation of measure (3b) fire suppression measure (sprinklers, etc.) would offset the response time deficiencies to less than significant levels. How can this be when it contradicts the Fire Department recommendations stating the need to reopen Fire Station 17 and include sprinklers and other mitigation measures mentioned? Former Fire Chief Godwin Taylor states that both sprinkler systems and reopening of Fire Station 17 are required to mitigate the impact of the project. But on page 47, the RDEIR recommends sprinkler systems or a reopening of Station 17. Why were the recommendations set aside? What expert consultation superseded these recommendations? Many projects require developers to contribute fire station sites, pay for equipment etc. (190.56, 225.1, 227.2, 228.40, 228.51, 234.13)

Response. Please refer to the response to Environmental Point J.8 which explains why the reopening of Fire Station 17 was not included as a mitigation measure.

Environmental Point J.19. (Circumstances of closing Fire Station 17.) The RDEIR fails to point out that the decision to close Station 17 was made without the need to provide fire and emergency services to the proposed project. (228.32)

Response. This comment is accurate. However, the decision in the late 1970s to close Station 17 was made with the knowledge that the project site was zoned for residential development, and that a number of development proposals had been considered for the site ranging in size from 344 to 1,100 units (see RDEIR pages 123-124). The disclosure on RDEIR page 366 that the station was closed "in the late 1970's" makes it clear that this decision was made prior to the current (February 1989) Dunsmuir project proposal.

Environmental Point J.20. (Fire station onsite.) To reduce impacts on fire and medical emergency protection, a fire station should be included onsite to be fully funded annually by the project. The statement on page 371 of the RDEIR that the Fire Department has suggested that the possibility of building a new fire station onsite be considered is not supported. The letter from former Chief Godwin Taylor makes no mention of a station on site. If it is not supported, it should be dropped from the EIR. (7.6, 225.2)

Response. As stated on page 371 of the RDEIR, the suggested onsite fire station was not recommended by the EIR, given the relative economic feasibility disadvantages of building a new fire station on the project site as compared with reopening Station 17. The suggestion that a new station be built onsite was included in a memorandum commenting on the 1988 DEIR from Jerry E. Blueford, City of Oakland Fire Department, to Willie Yee, City of Oakland Planning Department, dated March 22, 1989.

Environmental Point J.21. (Inadequate mitigation for emergency services impacts.) The mitigation measure to add two firemen and require sprinklers provides no mitigation for emergency response times for emergency services. Placing sprinklers provides no mitigation for inadequate response time for emergency services. (190.4, 190.5)

Response. Placement of sprinklers would serve to extinguish a fire or suppress the rate of fire spread, thereby offsetting response time deficiencies. Please refer to the response to Environmental Point J.8 for a more detailed discussion of this issue.

Environmental Point J.22. (Impact on level of fire and emergency service at Station 26.) If the one truck stationed at Fire Station 26 is providing service to the Dunsmuir Heights

project, the response time to most other areas served will increase significantly. How will existing levels for fire and emergency services be maintained if the proposed project is approved. The City must add fire coverage to service the proposed development or there will be a degradation of fire services to existing Oakland residents. The EIR excludes mitigations (such as reopening Station 17) that result in maintaining existing service levels because those mitigations would increase the costs to the City. The RDEIR provides no assurances that the recommended mitigation measures will provide an adequate level of fire service. Instead they have been selected because they do not add significantly to the City fire service costs and they help show a potential surplus of revenues over costs on paper. (7.1, 228.29, 228.48, 228.49, 228.50)

Response. The comment regarding degradation of fire services to existing Oakland residents as a result of the project would be true only if a call for emergency service was received within the Station 26 service area while Station 26 was on call to the proposed project. Since the proposed project would be expected to generate substantially less than one call per week on average, the probability of this happening is low. Please refer to the response to Environmental Point J.8.

Whether existing levels of fire service in the City are appropriate and should or should not be maintained is not a concern of this EIR. As the fiscal analysis demonstrated, the proposed project would generate more on-going revenues than costs for the City. What the City would choose to do with the revenues generated by the project is a matter for the Oakland City Council to decide.

Environmental Point J.23. (Long response time.) The four minute fire service response time "requirement" cannot be met with existing coverage. Providing fire and emergency services to the proposed development will take longer than providing service to many other areas served by Station 26 because of the isolated location, long winding access road, and the one entrance exit road system. (228.28)

Response. The RDEIR does not state that a four minute response time could be met with existing coverage. It is estimated that providing fire services to the site from Station 26 would take longer than to some other areas. Please refer to responses to Environmental Points J.8 and J.22 regarding response times.

Environmental Point J.24. (Fire protection access to adjacent property.) Address the issue of access to the adjacent open space areas for provision of fire protection services. Who will monitor, pay for, and insure maintenance and access to open space areas? Are fire lanes and fire access provided for Fire Department staff and equipment to open space areas on the proposed site and neighboring open space areas? (228.26)

Response. The homeowners association would be responsible for maintaining fire access on site. The EBMUD watershed lands to the southeast include fire access as does the golf course to the northeast. Development of the project would increase the opportunities for fire access to neighboring open space areas.

Environmental Point J.25. (Fire service access.) Secondary emergency access proposed through the golf course will not materially improve fire service unless Fire Station 17 is reactivated. A road through to Golf Links Road would only help to a very small degree. (134.9, 158.1)

Response. This secondary access would provide additional emergency access to the site and would provide access that would not be as subject to disruption by seismic faulting. Please refer to page 363 of the RDEIR for a discussion of this issue.

Environmental Point J.26. (Fire protection information.) The Dunsmuir Heights project will very much dilute the fire and medical protection for the southeast Oakland area. Station 20 is either the first, second, or third busiest station in the whole county. The houses in the project need to be fully sprinklered plus a fully staffed additional station is needed so as not to dilute the services to the existing area. The cost to man a station with four men per shift is well over a million dollars per year. Even if a station is initially funded, in all likelihood, due to financial cutbacks the money for operation would be withdrawn leaving a very poor situation. (158.1)

Response. Please refer to responses to Environmental Points J.8 and J.22.

Environmental Point J.27. (Station 20 first alarm status.) Page 365 of the RDEIR states that Fire Station 20 also provides first-alarm service to the project vicinity. How can this be

considered since it is ranked as one of the 20 busiest stations in the United States?
(216.2)

Response. Page 365 of the RDEIR states that Station 26 provides primary first-alarm service. The statement on page 365 of the RDEIR that Station 20 also provides first alarm service to the project vicinity is based on communication with the Oakland Fire Department, as indicated in footnote one on page 366 of the RDEIR.

Environmental Point J.28. (Inappropriate fire service mitigation.) The inappropriate use of fire service mitigation renders the EIR fiscal analysis useless, since it grossly underestimates fire service costs. The fiscal analysis excludes Fire Station 17. (227.5, 228.15)

Response. Comment noted. Please see response to Environmental Point J.8.

Environmental Point J.29. (Costs of opening a fire station.) The fiscal analysis should describe the costs of opening an additional fire station to provide service to the project and the vicinity. (228.23, 228.24)

Response. The opening of an additional fire station is not a recommended mitigation measure. Please refer to the response to Environmental Point J.8 for the reasons why this measure is not recommended.

Environmental Point J.30. (Medical emergency calls.) The vast majority of the service calls are for medical emergencies. Opening a new station would have improved response time to the site, especially if combined with a through access road. Placing sprinklers provides no mitigation for inadequate response times for emergency services. The EIR should make it clear that most of the medical emergency responses are handled by the Fire Department. Ambulance services are provided by contract. Medical emergencies are not mentioned under fire services in the RDEIR. In comparison to years ago most calls were for medical help last year. As stated in the 1989-90 City of Oakland Adopted Policy Budget, the Fire Department responded to 36,911 emergency medical calls in the 1988-89 fiscal year. No mitigation is proposed for emergency medical services. Address response time for emergency calls. (158.1, 190.4, 190.5, 227.3, 227.4, 228.31)

Response. See response to Environmental Point J.8. First-in emergency medical response would be provided by Station 26. Response times from Station 26 for EMS would be the same as a fire call response by Station 26.

Page 365 of the RDEIR states that *"The Oakland Fire Department provides fire protection and rescue services throughout the city."* This sentence has been changed to read as follows: *"The Oakland Fire Department provides fire protection, emergency medical, and rescue services throughout the city."* Also, the following sentences have been added: *"A majority of the calls responded to by the Fire Department are medical emergency calls. In 1989 the Oakland Fire Department responded to a total of 38,207 calls for service. Of that total, 27,495, or approximately 72 percent, were responses to EMS calls."*

Page 366 states that the project would create additional demands for all Fire Department services. This includes EMS. Mitigation (2) on page 370 of the RDEIR includes measures to reduce such impacts to a less than significant level.

Environmental Point J.31. (Adequacy of secondary access and response time.) Opening a station would improve response time to the site, especially if combined with a through access road. Please state the fire and emergency response times to various portions of the proposed project site. Stating that service to the main entrance to the project is four minutes is not sufficient. The statement on page 368 of the RDEIR that the travel time between the entrance and the residential areas above would vary from one to two additional minutes appears optimistic given the following factors: the steep, windy, two-thirds of a mile access road; the need to stop and gain entry at the access gate, the additional time required to access the units located off of the main access road. State the response time to the following portions of the project site: the edge of the site, the top of the hill and the first home, and the furthest parts of the development. Are these response times consistent with the City's four minute goal? Both proposed project accesses are not suitable for fire truck access. An access road from the top through the golf course, as recommended in the EIR, as a mitigation would only benefit the fire access time to any extent if the existing fire station on Golf Links Road is reopened. Earlier projects proposed for this site encountered problems because of the steep grade of the proposed road through the golf

course. These problems have not been properly addressed in the EIR. It may well be that the upper access road will also not be suitable for fire truck access.

A major benefit to the project using the Golf Links Road access only is that Hayward fault does not cross this access. An unmentioned drawback of the Golf-Links-Road-only access is the response time for firefighters to reach homes via this route during normal non-earthquake fire emergencies. (7.3, 7.4, 170.10, 170.11, 190.4, 228.30, 228.60)

Response. On page 368, the RDEIR states that *"...it is expected that the response time to the main entrance of the project at Foothill Way after implementation of the proposed roadway extension would be about four minutes. The travel time between the entrance and the residential areas above would vary from one to two additional minutes."* Combining the expected response time to the main entrance with the stated times from the entrance to the residential portions of the project yields an expected response time to the various residential portions of the project of between five and six minutes.

The Fire Department currently gains access via roads similar to those proposed for this project in other areas of Oakland. The Fire Department has not determined that the project access roads would be unsuitable for fire truck access. As discussed on page 363 an access road from the top of the golf course would also benefit fire access in case the other access road were disrupted or blocked due to earthquake faulting.

Environmental Point J.32. (Reduce the number of units to reduce impacts.) Reducing the project to 253 units would reduce firefighting needs. Reducing the number of units is the only sensible way to reduce school impacts. (170.11, 314.4)

Response. Comment noted. Section 21085 of the California Environmental Quality Act Guidelines states that the public agency shall not reduce the proposed number of housing units as a mitigation measure or project alternative *"...if it determines that there is another specific mitigation measure or project alternative that would provide a comparable level of mitigation."* The RDEIR determined that fire protection and school

capacity impacts could be reduced to less than significant levels with the mitigations proposed in the RDEIR.

Environmental Point J.33. (Emergency access through Chabot Park Highlands.) An emergency road alluded to on page 310 of the RDEIR through Chabot Park Highlands would require a special impact study. It would involve purchase of vast amounts of private property. The legality of such a purchase is questionable; and the improvement of private streets to City of Oakland standards. This would mean that if the entry came onto Turner Street the following privately-owned streets would need to be purchased from many private owners and brought up to Oakland standards: Turner, Ettrick, Elvessa, Green Brier, and Monan. This expense should be borne by the project not by the City. (98.57, 304.5)

Response. Please refer to the response to Environmental Point F.28.

Environmental Point J.34. (Locked gate emergency access.) The City of Oakland Police and Fire Departments have concluded that there is a satisfactory means of providing locked gates to residential developments that will not impede emergency vehicles whether responding to an emergency or for routine patrol. Mitigations (2a) and (2b) on page 363 of the RDEIR are in conflict. (167.11)

Response. Please see response to Environmental Point J.3.

Page 363 of the EIR has been modified to provide for consistency between these two mitigation measures (2a.) and (2b).

Environmental Point J.35. (Fire protection service during major earthquake.) Given their postulated earthquake, because of emergencies in less safe areas, all emergency response would most likely not be available for days. Fault-related access impacts probably would not matter. (167.F.16)

Response. Please refer to the response to Environmental Point G.58.

Environmental Point J.36. (Differences in police and fire service costs in 1988 DEIR and RDEIR.) Explain the differences between the police and fire service costs stated in the 1988 DEIR and the 1991 RDEIR. (167.76)

Response. The differences in police costs are directly related to the per capita personnel ratios discussed in the response to Environmental Point J.2. The primary difference between the fire service costs are described on page 368 of the RDEIR.

Environmental Point J.37. (Police service costs.) Does the City propose to provide police coverage to the new development at the expense of existing residents? Police costs appear to have been understated. Explain differences in the costs of providing police service to this project compared to the costs of providing police services to the Gateway Valley project once proposed in Orinda. No police costs associated with operations such as operating emergency 911 services or jail services are included in the RDEIR. Explain and justify omission of these costs. (196.4, 196.5, 228.4, 228.6, 228.56, 228.57)

Response. The fiscal analysis makes no assumptions about whether or not the City will remedy any existing service deficiencies, if any. The fiscal analysis addresses the narrower question of whether or not the proposed project would generate the fiscal capacity to support those City services that it would require at the same level of services as currently exist citywide.

The cost of providing police services to a project in Orinda is not comparable to those of providing police services to projects in Oakland due to different development and site characteristics and differences in the organization and delivery of police services. The Gateway site is more remote than the Dunsmuir site and is not contiguous to existing police beats. The housing prices are different and the Gateway project includes a conference center. Police service to the City of Orinda is provided through a contract with Contra Costa County.

The EIR fiscal consultant determined that police costs associated with operations such as emergency 911 and jail services would be negligible and therefore omitted them from the fiscal analysis.

Environmental Point J.38. (Inaccurate fiscal analysis cost estimate of Fire Department-recommended mitigation; costs of fire service mitigation.) If the Fire Department mitigations (reopen and staff Station 17, provide access from Golf Links Road, do not use wood shake roofs, develop a fuel management plan using fire resistive landscaping, and include residential sprinkler systems in all units) are included in the fiscal analysis, the project will cost the City around \$500,000 in year five and \$800,000 in year ten. The RDEIR did not include these measures proposed by the Fire Department. This project would be very costly to the City and these mitigation measures should be included and the RDEIR should be corrected. By limiting mitigations to be considered to ones that are economically feasible, the RDEIR is significantly underestimating costs to the City of maintaining adequate service levels. (227.1, 227.2, 227.6, 228.1, 228.2, 228.3)

Response. All mitigation measures proposed by the Fire Department except the reopening of Station 17 were included in the RDEIR. See response to Environmental Point J.8 for a discussion of the reasons why it is not necessary to reopen Station 17.

Environmental Point J.39. (Water demand, adequacy of water supply, water supply and impacts during drought.) The EIR must address water use during construction for dust control, for five to six years of buildout hydroseeding of slope scars, drip irrigation system for plan establishment period and post maintenance, include the number of units times the average family size times estimate of completed units per year, etc. After five years of drought, how will water be provided for this project? The RDEIR does not address how a project of this size can be considered when California is in the middle of a drought. Where will this water come from? The impacts of the project on water use are significant and adverse. No acceptable mitigation is identified in the RDEIR. (118.10, 162.1, 168.1, 196.6, 235.7, 356.1)

Response. Water supply, associated project impacts, and required mitigation measures are adequately addressed on pages 373 through 380 of the RDEIR. Water usage during construction is expected to be less than that used during the operational phases of the project, is not a significant issue, and is therefore not addressed in the RDEIR.

As stated on page 375 of the RDEIR, EBMUD does not anticipate any difficulties in meeting the added demand for water associated with the project. EBMUD assumed development of the site in their future demand projections. Based on this determination by EBMUD, it was concluded that the project impact on water supply would be less than significant.

Environmental Point J.40. (Regional water supply.) Complete water requirement analysis, including plans to procure and deliver to all of citizenry. Is the statement on page 375 of the RDEIR that "EBMUD does not anticipate any difficulties in meeting this added demand" valid? The EIR must address the larger issue of Bay Area water needs as a part of mitigation. (118.11)

Response. As stated on page 375 of the RDEIR, EBMUD does not anticipate any difficulties in meeting the added demand for water associated with the project. EBMUD assumed development of the site in their future demand projections. Based on this determination by EBMUD, it was concluded that the project impact on water supply would be less than significant. A cumulative, regional impact analysis is therefore not required.

Environmental Point J.41. (Water supply and distribution system.) Page 373, Second sentence of the second paragraph under "Existing Supply and Distribution System" should be revised to incorporate the following information.

The Bayfair Pressure Zone would probably be used to serve the lower portions of the project site rather than the Piedmont Pressure Zone, though this is not definite. The Bayfair Pressure Zone serves areas between 300 and 500 feet. The Peralta Pressure Zone, though it has a "book value" service range of 450 to 575 feet, actually can serve between 385 and 585 feet. (157.9)

Response. Page 373 of the RDEIR has been revised in response to this comment.

Environmental Point J.42. (Use of Chabot Filter Plant.) The Chabot Filter Plant was used from December 1976 through September 1977. Future use of this plant is strictly limited to extreme emergency conditions only. (157.10)

Response. Page 374 of the RDEIR has been revised in response to this comment.

Environmental Point J.43. (Use of alternative water sources.) The first paragraph of page 374 should be revised. The use of alternative water sources for irrigation at Lake Chabot Municipal Golf Course was initiated by EBMUD. The first sentence could be misinterpreted to mean that the City of Oakland had initiated the concept of alternative water supplies to eliminate the need for EBMUD to construct Peralta No. 2 Reservoir. EBMUD has a program to develop and promote uses for reclaimed wastewater and alternative water supplies to produce the long-term benefit of reducing the demand for potable water. Use of untreated water from Chabot Reservoir (Lake Chabot) to irrigate Lake Chabot Municipal Golf Course is one of the projects in the program. Eliminating the need to construct Peralta No. 2 Reservoir is an added *major* benefit of this project. (157.11)

Response. Page 374 of the RDEIR has been revised in response to this comment.

Environmental Point J.44. (Landscaping restrictions.) The statements regarding landscaping restrictions on page 376 and 378 are no longer applicable. (157.12)

Response. Please see response to Environmental Point E.45.

Environmental Point J.45. (Construction period impacts of offsite improvements.) The impacts described are the worst case scenario and could be reduced by coordination between the developer, pipeline contractor, EBMUD, and the golf course management or homeowners association, depending upon alignment selected. A portion of the work on the golf course could be performed at night, so as to minimize golf course operations. This way, the golf course could continue to operate with either areas marked temporarily "Out of bounds" or the golfers given special relief. Special care would have to be taken to prevent construction noise and light of work being performed at night from bothering the sleep, quiet, and enjoyment of nearby residents. This option may have to be limited to areas where there is sufficient distance between the houses and the pipeline construction activities. In areas where there would not be sufficient buffer space, construction would have to be performed during daylight hours. (157.13)

Response. Page 376 of the RDEIR has been revised in response to this comment.

Environmental Point J.46. (Water line golf course impacts.) Page 376 of the RDEIR: *Alignment Through Lake Chabot Golf Course*, should be revised to indicate that a new water line extension from May Reservoir through the golf course to the project would have varying impacts to the golf course dependent upon the final route selected. Minimal disruption to play could be avoided by use of temporary greens (such as exist at hole #5) and other alignment design prepared in coordination with the Oakland Office of Parks and Recreation. An alignment which uses some streets and part of the golf course could be developed with minimal impact on the course. Any alignment chosen would provide the opportunity to provide long-term advantage to the existing system serving Chabot Park Highlands. (167.63)

Response. Please refer to the response to Environmental Point D.14.

Environmental Point J.47. (Irrigation water anticipated.) The Final EIR must include data and analysis indicating the amount of irrigation water anticipated. How much water is needed for landscaping? (189.11, 235.7)

Response. As stated on page 375 of the RDEIR, *"EBMUD currently applies a consumption rate of approximately 400 gallons per dwelling unit per day in computing overall (domestic and landscape irrigation) residential water demands."*

Environmental Point J.48. (Outdated data on water capacity.) The environmental setting of the drought is not adequately represented by the RDEIR because the data regarding the capacity of EBMUD to supply the project is three years old. (205.2)

Response. The information in the RDEIR regarding the ability of EBMUD to supply water to the project is still valid and modifications are not needed. EBMUD submitted a comment letter on the RDEIR (letter 157). The only change requested by EBMUD related to water consumption or supply related to the fact that landscaping restrictions for new water service connections are no longer applicable.

Environmental Point J.49. (Use of gray water for irrigation.) Mitigations should include use of gray water for irrigation. (205.3)

Response. The RDEIR concluded that the impact of the project on water supply would be less than significant. The project would be required, however, to comply with EBMUD water consumption and usage restrictions. The Alameda County Health Department generally requires most greywater to be treated as wastewater for public health reasons. However, in an advisory statement (a memorandum entitled "Alameda County Department of Environmental Health Advisory Statement Regarding the Use of Greywater") regarding the limited use of greywater, the Health Department states the following:

Indiscriminate use of greywater cannot be condoned. It must be recognized that the use of greywater is a step backwards for community sanitation and is tolerable only under extreme conditions and as a temporary measure. When greywater is used the following guidelines should be considered.

Conservation

- *Each water user must make every effort to obtain a significant reduction in water consumption through conservation before any consideration is given for the use of greywater.*
- *Installation of water-saving devices, such as bottles, water dams, flow restrictors, etc. is encouraged.*
- *There should be no alteration of plumbing. The only recommended interior use of greywater is dumping of bath water, dish water, or sink water directly into the toilet bowl for flushing.*
- *Any modifications to plumbing systems, if attempted, must be approved by local building authorities. The plumbing should be returned to normal after the need to use greywater has passed.*
- *All applicable state and local requirements concerned with backflow prevention must be in compliance.*

- *Exterior irrigation should be done in a manner that will minimize possible health risks and nuisances. Subsurface irrigation through perforated underground irrigation pipe or drip system is preferred. Greywater should not be applied to soil that is, or will be, used to produce food crops. Any irrigation with greywater should not involve spraying or surface ponding of the water. Greywater should not be applied to lawns or other surfaces which will be touched by bare skin.*
- *Homeowners are urged to contact gardening or agricultural experts prior to irrigation with greywater. Many household products contain chemicals which may be carried in greywater and which may be toxic to, or otherwise adversely affect, vegetation.*
- *The storage of greywater within living quarters is unacceptable under any circumstances.*
- *Landscape watering where allowed, should be accomplished after sundown to minimize evaporation loss.*
- *Installation of alternate water supply sources should only be undertaken through consultation with the Environmental Health Department.*

Environmental Point J.50. (Inadequate description of the Peralta Zone.) The RDEIR describes the EBMUD's Peralta Zone water as inadequate, but it is unclear if the problem is one of supply or storage. Additional supply from Lake Chabot is presented as an alternative to an additional storage reservoir at the Peralta Reservoir site (page 374). This apparent paradox requires explanation. (205.4)

Response. Pages 373 and 374 of the RDEIR have been revised to make it clear that the storage capacity not the supply of the Peralta water zone is inadequate to service the golf course and anticipated development.

Environmental Point J.51. (Capacity of the sewer collection line.) Regarding page 380 of the RDEIR, the wastewater treatment plant has the capacity to provide primary treatment for up to 290 mgd and secondary treatment for up to 168 mgd of sewage. The plant treats an average flow of 80 mgd. The 150 mgd capacity cited in the RDEIR is the estimated flow

contribution from the South Interceptor to the plant's primary treatment capacity of 290 mgd. Actual capacity of the City's collection line at that point where the Dunsmuir sewer line is connected is not known. This information should be obtained from the City of Oakland. (157.8)

Response. Pages 380 through 381 of the EIR have been revised to incorporate this additional sewer line connection and capacity information.

Environmental Point J.52. (Access to schools.) The mitigation proposed on page 55 of the RDEIR and again on page 395 to establish an access through the golf course is totally inadequate and unacceptable due to a lack of proper lighting, security, and supervision. Every child will have to be driven to school. It is not clear whether school buses would be able to travel the primary access road due to the slope. Would buses be available? Who would pay for the buses? The ride-sharing, van pool, or special bus service recommended is no permanent solution and again, who pays? (91.1, 207.10, 302.1, 324.1)

Response. RDEIR page 395 states that the pathway should be designed and located to ". . . provide adequate separation from activities at Lake Chabot Golf Course. Provide adequate protection in the form of fencing or heavy landscaping to protect trail users from golf balls and to reduce trail impacts on the playability of the golf course." This mitigation measure has been modified to require lighting and avoidance of adverse safety impacts to the satisfaction of the Oakland Police Department.

As stated on page 389 of the RDEIR, the Oakland Unified School District only provides school bus service for handicapped students. As stated on page 396 of the RDEIR, a ride-sharing, van-pool, or special bus service could be provided through the homeowners association. Such service would either be paid for by individual parents or by the homeowners association.

Environmental Point J.53. (School overcrowding/school capacity mitigations.) The schools will be overcrowded. The following mitigation measures to reduce school capacity impacts are unacceptable: (a) changing the attendance boundaries, operating schools on a year-round basis, and building an elementary school on the site. Changing the boundaries only moves around an already overcrowded school population. Changing the boundaries is too

political. Year-round school would take years to plan. Where would the money come from? Building a school on the site is a highly unlikely mitigation. The cost is too high and the disruption to the community is unacceptable. Mitigation measures aren't sufficient. The measures are just suggestions. The developers do not have a specific mitigation plan. (78.15, 91.2, 302.2, 302.3, 303.1, 314.1, 314.3)

Response. Pages 393 through 396 of the RDEIR include mitigation measures to reduce school overcrowding impacts. Changing the attendance boundaries was suggested because there are several schools located close to the site that are substantially under capacity. The political sensitivity of a mitigation does not necessarily render the measure infeasible. Please refer to the discussion of these schools beginning on page 387 of the RDEIR. This mitigation measure would be effective in addressing the overcrowding problem.

Establishment of year round schools is a proven, viable option that many school districts throughout the state have implemented to relieve overcrowding. The funding to establish a year-round school calendar would probably have to come from the school district.

The option of building a school on the site is discussed on page 394 of the RDEIR. However, the EIR does not recommend that a school be built on the project site for the reasons discussed in the third full paragraph of page 394 of the RDEIR.

The mitigation measures recommended on pages 393 through 396 of the RDEIR would be sufficient because they would reduce impacts to a less than significant level. The City of Oakland will determine which measures will be required and adopted as project development conditions. Please refer to response to Environmental Point T.17 regarding mitigation implementation.

Environmental Point J.54. (San Leandro Schools.) The developer's further suggestion is to somehow transport these children to San Leandro schools. The RDEIR does not address the impact of the project on San Leandro schools. (91.3, 197.1)

Response. The RDEIR does not discuss, suggest, or recommend that the students generated by the project be "transported to San Leandro schools. There is no proposal to annex the site into the San Leandro School District (SLSD). Consequently, there are no impacts on the SLSD to be discussed in the EIR.

Environmental Point J.55. (School district capacity and project impacts.) Table 27 should be updated; school enrollment should be updated; the EIR should reflect project phasing. (167.64, 167.65, 167.H.1, 167.H.2, 167.H.3)

Response. Table 27 and pages 382, 386, 387, 388, and 391 (school enrollment and capacity information) have been updated to incorporate 1989-1990 school year enrollment information. However, the requested changes to school capacity figures have not been made because they are different from those provided by Robert Long, Assistant Superintendent for the Oakland Unified School District on May 21 and 23, 1991. Regarding an analysis of school impacts during the initial phases of the project, prior to buildout, while it is correct that the number of students from the project would be lower prior to buildout, the focus of this RDEIR is the impacts of the project at buildout.

Environmental Point J.56. (School transportation.) Although the Oakland Unified School District would not provide bus service this does not preclude arrangements by the Homeowners Association, parents, etc. to arrange for private transportation via van pooling, ride sharing, etc. (167.66, 167.H.4)

Response. These options are discussed on page 396 of the RDEIR.

Environmental Point J.57. (Project impacts on school capacity.) It is unlikely that schools within the attendance boundaries of this project will be over-subscribed. There are a large number and a wide variety of private schools in the southeast Oakland area that could accommodate the project students. (167.67, 167.H.5)

Response. Comment noted. The analysis contained in section IV.G.5 of the RDEIR represents a conservative approach in case there is no private school attendance from the project.

Environmental Point J.58. (Definition of capacity, Grass Valley capacity.) The report should be clear on what is meant by school capacity. What kind of capacity is represented in Table 27? School capacity figures for Grass Valley are inaccurate. (207.2, 301.1)

Response. The school capacity figures presented in the RDEIR were obtained from the Oakland Unified School District and were reconfirmed with Robert Long, Assistant Superintendent of Facilities Planning for the Oakland Unified School District. The capacity figures shown on page 387 of the RDEIR are accurate. Capacity is based on numerous factors. The Oakland Unified School District bases its elementary school capacity figures on the following student loading factors: 27 students per teacher for kindergarten; 30 students per teacher for grades one through three; and 31 students per teacher for grades four through six. Capacity figures for Marshall also assume two special education classes with a loading factor of 15 students per teacher.

The Oakland Unified School District bases its secondary school (junior and senior high) capacity figures on the following loading factors: 52 students per teacher for music and physical education; 35 students per teacher for ROTC; 33 students per teacher for computers and typing; 32 students per teacher for standard classrooms such as English, social studies, etc.; 30 students per teacher for science labs; 29 students per teacher for home economics; 29 students per teacher for auto shop and wood shop; 27 students per teacher for arts and crafts; and 25 students per teacher for reading and math labs.

The capacity figure for King Estates Junior High also includes three special education classrooms with loading factors of 15 students per teacher and 1.5 (one regular size classroom and one small space that is not large enough to qualify as a standard classroom) classrooms with a special education resource specialist (students attend on a drop-in basis).

The capacity figure for Castlemont also includes two special education classrooms with loading factors of 15 students per teacher and two classrooms with a special education resource specialist (students attend on a drop-in basis).

The capacity figure for Skyline includes six special education classes and three classrooms with a special education resource specialist.

The school district also includes an adjustment factor of 79 percent of actual physical space to account for actual class loading (i.e., the capacity figures shown in the RDEIR are 79 percent of actual physical space needed per student).

Environmental Point J.59. (Distance of the project site from schools.) The EIR should include a map (submitted) illustrating the distance of the schools from the site. It is noted in Table 28 that driving distances were measured from the project entry gate. How far is it exactly from the project gate to the closest house and the farthest house from the proposed project (as measured by standard roadway travel)? (167.68, 167.H.7, 218.1)

Response. The RDEIR discusses the distances of the schools to the project site on page 390 (Table 28) and the school locations are shown in figures 67, 68, and 69 of the RDEIR. The map submitted by the commenter does not appreciably add to the understanding of the distance of the schools from the project site. Moreover, the accuracy of the map needs to be confirmed, and therefore, the map has not been added to the EIR.

The exact distance from the entry gate to the closest and most remote house on site is not known. Estimates in the RDEIR are adequate for environmental impact disclosure purposes. An exact measurement would not change the findings of the RDEIR.

Environmental Point J.60. (Status of open enrollment.) The open enrollment program is no longer in effect. The magnet program allows students to attend specialty schools that may be outside of their attendance boundary. Magnet schools in the Dunsmuir Heights area include Grass Valley and Marshall elementary schools and Castlemont and Skyline high schools. (167.69, 167.H.6)

Response. Page 392 of the RDEIR has been revised in response to this comment.

Environmental Point J.61. (Year-round schools.) The Oakland Unified School District does not have an official school board policy regarding establishment of year-round schools. However, there are guidelines that have been sanctioned by the school board and there are specific education code requirements. The explanation of a year-round calendar on page 394 of the RDEIR has nothing to do with year-round, but is an explanation of an onsite elementary school. There is no evaluation or explanation of a year-round school as mitigation. (167.70, 167.H.8, 207.8, 207.9)

Response. Page 394 of the RDEIR has been modified to incorporate Oakland Unified School District year-round school guidelines. With respect to a year-round calendar, the second full paragraph on page 394 identifies year-round schools as a mitigation measure. This paragraph is followed by a separate paragraph discussing, and dismissing construction of a school onsite. The EIR is not required to include a detailed assessment of the year-round school mitigation. An EIR should not recommend mitigation measures of unknown efficacy. Year-round schools, however, are a proven, accepted method that school districts throughout the state have employed to reduce school overcrowding problems.

Environmental Point J.62. (Portable classrooms.) Portable classrooms are not conducive to learning. The effects of adding portable classrooms should be studied and reported in the EIR. The EIR should determine the point at which the addition of portable classrooms would become significant. The playgrounds are too small to accommodate portable classrooms. (174.2, 207.5, 207.6, 314.2)

Response. Portable classrooms have been established in the state as an acceptable method of relieving school overcrowding. The EIR is not required to assess the effect of portable classrooms on the learning process. The EIR discusses several options available to decisionmakers to reduce the impacts of the project on the schools if they determine that adding portable classrooms adversely affects recreation at the schools. Page 394 of the RDEIR states that *"This mitigation measure should be selected only if it can be shown that the addition of portables could be achieved without significantly affecting the adequacy of school outdoor recreational provisions."* The school district would need to decide the point at which the additional portables would be significant.

Guidelines from the California Department of Education regarding the amount of outdoor recreational area that should be provided for schools indicate the following:

- (1) approximately 3.5 acres of outdoor recreational space should be provided for an elementary school (K-6) with 300 children and morning and afternoon kindergarten sessions; and
- (2) approximately 13.7 acres of outdoor recreational space should be provided for a middle school with 700 children that does not have a running track and about 7.1 acres of outdoor recreational space for a middle school with a running track.¹

These guidelines could be followed to determine the significance of the addition of portables. Page 394 has been revised to include this information.

Environmental Point J.63. (Implementation time of boundary change.) The "year or more to implement" mentioned on page 394 appears extremely rapid to those who have been involved in the process. (207.3)

Response. This comment does not suggest an alternative time period for implementation. Because the RDEIR identifies a very general timeline and indicates that the process would not be rapid, it is not necessary to modify the EIR.

Environmental Point J.64. (Add discussion of lowered probability of the boundary change mitigation.) The lowered probability of this mitigation measure (change in school area boundaries) should be included in the summary on page 53. (207.4)

Response. The summary is not required to include the detailed discussion of impacts and mitigation measures as included in the full text of the EIR. As noted on page 9, paragraph two of the RDEIR, *"The summary should not be relied upon for a thorough understanding of the details of individual impacts and mitigation measures. Please refer to Chapter IV for a complete description of project impacts and mitigation measures."*

¹Bob Williams, Consultant, California Department of Education, School Facilities Planning Division, personal communication, May 14, 1991.

Environmental Point J.65. (Methodology of impact analysis.) The school district has projections of the size of the cohort groups moving through the school system. These figures (rather than the currently enrolled number of students) plus the projected number of students from the project should be used to give a clearer idea of how much future impact there will be on King Estates Junior High School. (207.7)

Response. As of May 15, 1991, the Oakland Unified School District only has enrollment projections available for King Estates Junior High School for the 1991-1992 school year. Projections for subsequent years are not available. Even if such projections were available, unless it showed substantial declines in enrollment, the information would not be expected to change the significant, cumulative, overcrowding impact discussed on page 392 of the RDEIR or the mitigation on page 395 to reduce the impacts.

Environmental Point J.66. (Impact of school boundary change mitigation and costs.) A study needs to be prepared for the impact of a change in the school boundaries on the "citizens not using the local schools." The project should pay for all increased costs associated with boundary changes or year-round schools. (98.16)

Response. Pages 387 and 388 of the RDEIR include information regarding schools near the project that are out of the existing attendance area with substantial capacity.

Page 394 of the RDEIR states that "Boundary changes would require considerable study by the district." There are no funding mechanisms available to the City of Oakland or the school district to require the developer to pay for all increased costs associated with boundary changes or year-round schools.

Environmental Point J.67. (Validity of existing park standards/need for neighborhood park.) While it is true that the City has not been able to meet the maximum standards of ten acres per 1,000 residents in the past, it should not be construed that the City should settle for anything less in the future. However, in this project area the City of Oakland Office of Parks and Recreation (OPR) believes that a 3.5-acre neighborhood park would be appropriate to meet the local needs of the Dunsmuir Heights community and that this is the

only mitigation measure that would provide Oakland residents with equal to or better recreational opportunities than other Oakland communities. (107.1, 107.2, 107.8)

Response. Comment acknowledged. Page 398 of the RDEIR has been modified to make it clear that the City uses the standard of ten acres per 1,000 population and aims to achieve it in the future.

Environmental Point J.68. (Lack of children-serving recreational facilities.) Without the school-ground-style amenities such as a ball field, basketball court, and programs that include leadership, parents are not usually comfortable with their children frequenting swimming pools with signs posted "no life-guard on duty - swim at your own risk." There appears to be very little space between the units. Where will the children play? In the street? This is not acceptable for a toddler or other young children. Will the recreational facilities provided on site be adequate for the project residents? (107.3, 217.1)

Response. Page 398 and 399 of the RDEIR recognize that the recreational facilities provided onsite would not be adequate to meet all of the demands created by the project. Although a number of turfed mini-parks are proposed with the various project phases, specific provisions for children are not specified. This potential impact has been added to RDEIR page 398, and a related mitigation has been added to page 400. Mitigation (2) on page 400 and 401 of the RDEIR identify offsite measures that would reduce project impacts on the demand for park and recreational facilities.

Environmental Point J.69. (Demand for services at Sheffield Village recreation center.) OPR agrees with the statement on page 399 of the RDEIR regarding the project impact on the Sheffield Village recreation center. (107.4)

Response. Comment acknowledged.

Environmental Point J.70. (Impacts on the 16th hole of the golf course.) Page 399 and 400 of the RDEIR state that "The introduction of additional residential development along the golf course boundary may affect the quality of hole #16." OPR believes that the project will adversely affect the quality of hole #16. (107.5)

Response. Please refer to the response to Environmental Point D.10.

Environmental Point J.71. (Onsite recreational opportunity impacts/mitigation.) OPR believes that mitigation measures are necessary to reduce onsite recreational opportunity impacts. (107.7)

Response. Page 398 of the RDEIR has been revised to state that there are no specific recreational provisions for children specified in the project plans. A related mitigation measure has been added to page 400 of the EIR.

Environmental Point J.72. (Impacts on Lake Chabot Golf Course.) The RDEIR ignores that fact that golf course would be landlocked by the project and the golf course would never be able to meet the desired championship status. The golf course should not be carved up. (107.10, 107.11, 134.10)

Response. Please refer to the response to Environmental Point D.9.

Environmental Point J.73. (Golf course security.) OPR agrees with mitigation 5 on RDEIR page 401 regarding golf course security mitigation but recommends that the applicant and city staff evaluate the proposed mitigation when elevation and site plans are available. The mitigation measure to establish an access route through the golf course for pedestrians and bicyclists is in conflict with the permanent barrier to mitigate golf course security and does not adequately address impacts on golf course security or safety of pedestrians and cyclists. No safety analysis from the Oakland Police Department or OPR are included. (107.12, 167.13, 167.71)

Response. Review of mitigation measure 5 on RDEIR page 401 by City staff would occur as part of the City project processing procedure. Please refer to response to Environmental Point D.12. With respect to the pedestrian and bicycle path, please see response to Environmental Point D.13.

Environmental Point J.74. (Distance from project houses to parks.) The distance from Anthony Chabot Regional Park to the site, as discussed on page 397 of the RDEIR, should be 0.0 rather than 4.0 miles. (228.62)

Response. Table 30 on page 397 of the RDEIR identifies driving distances from the site to parks and recreational facilities. Table 30 has been revised to make it clear that driving distances are shown.

Environmental Point J.75. (Relationship of park provisions to OCP policies.) As proposed, the project does not appear to be providing park or recreational areas on site. Why not? Is this consistent with OCP policies. (228.63)

Response. The recreational areas that would be provided onsite are described on page 398 of the RDEIR.

Environmental Point J.76. (Location of project with respect to required services.) The statement on page 173 of the RDEIR that the project is in an area where road, sewer, water, police, and fire services generally exist and are generally adequate is not accurate. (98.41)

Response. Please refer to the response to Environmental Point D.41.

Environmental Point J.77. (Cost of water line replacement within the Peralta Oaks/Foothill extension.) If the waterline beneath the Peralta Oaks/Foothill Way extension needs to be replaced, the cost should be borne by the project. (98.59)

Response. Please refer to the response to Environmental Point G.88.

Environmental Point J.78. (Liability of the city.) The project will increase the liability of the city because the number of joggers, bikers, and hikers who trespass into the golf course and ignore the dangers of a golf ball will increase. This could adversely affect the City's revenue-generating potential. (107.6)

Response. Please refer to the response to Environmental Point D.11.

Environmental Point J.79. (Dunsmuir House impacts.) OPR disagrees with mitigation measure #3 on RDEIR page 480. (107.9)

Response. Please refer to the response to Environmental Point D.21.

Environmental Point J.80. (Adequacy of RDEIR discussion of impacts on services.) The RDEIR is not adequate because it does not adequately address significant community service impacts of the project. (187.3)

Response. Comment noted. No specific inadequacies have been identified by the commenter as examples from which a specific response could be formulated.

Environmental Point J.81. (Distances from project homes to services.) Revise distances from the project shown on the tables in the Municipal Services and Fiscal Factors section of the RDEIR to reflect actual distances from homes to services, not from the entrance gate to services. (218.2, 218.3)

Response. Please see response to Environmental Point J.59. As stated on page 368 of the RDEIR, the travel time for fire engines between the entry gate and the residences would vary from one to two additional minutes. Actual distances from the entry gate to the future homes are not known. However, even if exact distances were known, such information would not change the findings of the RDEIR.

Environmental Point J.82. (Maintenance of service roads and drainage systems.) Costs of maintaining sewers, roads, drainage systems will most likely have to be borne by the City, not a homeowners association. Such costs can be substantial in a steep area crossed by an earthquake fault, exhibiting fault creep movement, and with a history of landslide damage. (228.8, 228.68, 228.70)

Response. The Geologic Hazard Abatement District, as described on page 315 of the RDEIR, would assume responsibility for such maintenance. The second and third paragraphs on page 315 of the RDEIR specifically state the following:

The purpose of such an assessment district would be to create a private funding mechanism, established by the applicant, to ensure that project residents are financially responsible for: (a) preventative maintenance of drainage systems and cut-and-fill slopes; (b) further geotechnical studies of geotechnical problems if and when they develop; and (c) the cost of repair to common project facilities which might be damaged in the future by landslides, differential settlement, fault rupture, etc. There should be no risk of these costs falling upon the city. The funding mechanism should distinguish between soil movement erosion damage to a single lot, which should be the property owner's individual responsibility, and damage to common roads, utilities, major drainageways, or damage to more than one lot, which should be the joint responsibility of all affected landowners.

A possible funding mechanism would be the creation of a Geologic Hazard Abatement District (GHAD). A GHAD can be used as a means of providing and paying for an ongoing monitoring program to detect and control geologic hazards.¹ There should be a requirement that the existing function of the GHAD be disclosed to all potential or actual purchasers of project home sites or homes. In the event of serious geologic problems, subzones of an amended GHAD could then be established to allocate equitably the costs of abatement measures between affected landowners.

Environmental Point J.83. (Problems with assumed mitigation in fiscal analysis.) The fiscal analysis treats the proposed project very favorably. The problems are most significant in the mitigations assumed in the RDEIR rather than with the methodology used in the fiscal analysis. For example, low-cost fire mitigation measures are used instead of opening a fire station. Costly mitigations were omitted. (228.2, 228.21, 228.22, 228.50)

Response. Please see response to Environmental Point J.8. The question of whether a new fire station would be required to mitigate the impact of the proposed project was addressed in response to Environmental Point J.8. All of the other mitigations identified by the Oakland Fire Department are included. The fiscal consultants are not aware of any other "costly" mitigations as implied in these comments.

¹Such a GHAD was established in 1985 for the Canyon Lakes Project in San Ramon (Contra Costa County).

Environmental Point J.84. (Maintenance responsibility.) Please note that some public agencies, park districts for example, have refused to accept open space areas that are similar to those proposed by the project because of the high cost of providing ongoing maintenance and fire protection services. If public agencies are reluctant to accept such properties because of the high costs involved, please explain why it is appropriate to expect a homeowners association to be able to do so? (228.46)

Response. It is reasonable to assume that the homeowners association would be able to pay for the maintenance of onsite open space. Each homeowner would be required to pay monthly homeowners association dues. Typically, payment of dues is enforced through the title to the property which specifies that a lien can be placed on the property in the event that dues are not paid. The concept of common open space maintained through a homeowners association is one that has been successfully implemented in projects that have been developed throughout the Bay Area. However, the potential for discontinuation of funding for maintenance of open space and recreational facilities on site has been added as an impact potential on page 398 of the EIR. To insure that this practice is followed for this project, a mitigation measure has been added to page 400 of the EIR.

Environmental Point J.85. (Source of model used in economic analysis.) On page 617 of Appendix G, the RDEIR states:

"The assessed value of the project was estimated using a model that accounts for the expected prices of new housing, assumed property turnover, the rate of inflation, and the rate of real property appreciation. The model accounts for the effects generated by Proposition 13..."

Please provide information on the "model," its specifications, structure, assumptions, sensitivity analysis. Results may depend upon the model and its assumptions. Is this "model" publicly available, based upon academic research? If so please provide references. (15.1)

Response. In response to this request, a letter dated February 21, 1991 containing information regarding the model, was sent to the commentor by the EIR consultants at the direction of the City. This letter is included in the revised RDEIR Appendix G in the errata section of this document.

Environmental Point J.86. (Payment of pro-rata park impact fee to San Leandro.) The City of San Leandro recommends that the City of Oakland consider requirement of a fee in lieu of provision of parkland. San Leandro further recommends that if such a fee is required, a pro-rata share of the fee be made available to San Leandro for the purpose of reducing impacts on San Leandro parks and recreation facilities. (54.B.11)

Response. Comment acknowledged. This mitigation is discussed on pages 400 and 401 of the RDEIR.

Environmental Point J.87. (Understatement of fiscal advantages/overstatement of service needs.) Now we all favor more police and firemen. However, by overstating the municipal service needs, the economic benefits of the project are underplayed. The service needs are overstated. A security gated community would not generate a need for two police officers. Addition of City personnel is a concern of the City Council and it is inappropriate for a fiscal analysis of a project to be used as a device to gain increases in personnel. (92.2)

Response. The question toward which the RDEIR fiscal analysis was directed was how much would City expenditures have to increase in response to the development of the proposed project in order to maintain existing levels of service in each affected service category. The question of whether existing levels of service are adequate and appropriate was not addressed. It is also important to recognize that police and fire services are separate and distinct services provided by the City, and each needs to be considered separately and distinctly.

The fiscal analysis is not intended to be interpreted as a specific budget proposal, but rather as a finding regarding whether the proposed project would generate fiscal capacity adequate to offset the costs that would be borne by the City in holding existing service levels constant. A decision to add staff should be made by the City

Council in the context of the City budget process. Whether or not additional positions are appropriate and warranted depends upon many more factors than the addition of one new development within the City. Not only should such decisions be based upon a consideration of the cumulative effects of all new developments within the City, but consideration should be given to other changes affecting each particular City department, the level and quality of services currently being provided by each department, as well as the City's priorities in addressing competing requests for resource expenditures.

Based upon discussions with police officials in other jurisdictions that have had experience with security gating there is merit to the comment that a gated community would, in general, generate fewer calls for police services per dwelling unit than other non-gated residential areas. However, as stated earlier in these responses, it was the intention of the fiscal analysis to be conservative.

Regarding the impact of the project on fire services, the response to Environmental Point J.8, took the position that the project would neither require nor justify reopening and staffing the fire station that was closed by the City in the 1970s. Again, it was the intention of the fiscal analysis to conservatively estimate the addition to Fire Department expenditures that would be required to maintain existing levels of service without questioning the appropriateness of the existing level of service.

In addition to fire suppression services, the Oakland Fire Department (OFD) responds to every emergency medical call with one engine and four personnel. (Medical transport is provided by a private firm under contract.) By far the largest number of calls for service to the OFD are for emergency medical services (EMS), not for fire suppression. In 1989, for example, the OFD responded to a total of 38,207 calls for service (based upon data provided by the OFD). Of that total, 27,495, or approximately 72 percent, were responses to EMS calls.

Environmental Point J.88. (High cost of services to isolated project.) All City and other community services will cost more per unit in the proposed project than any other area in Oakland. Disproportionate increases in fire and police allocations will be needed to keep response within acceptable limits. (146.1)

Response. Comment noted. As described below, the RDEIR fiscal analysis adequately discusses project impacts on City services. Since the fiscal analysis dealt only with City costs and revenues, the EIR fiscal consultants have no information or comment on the costs of providing "other community services" to the proposed project. The proposed project would not impose greater costs per dwelling unit than the citywide average cost per dwelling unit in order to keep police and fire response times to emergency calls within reasonable limits.

The response to Environmental Point J.8 addressed the question of response times and comparative cost per dwelling unit of providing Fire Department services to the proposed project.

With respect to police services, responses to emergency calls for such services would be handled by uniformed beat officers in the Field Operations Division of the Oakland Police Department. In other words, the response to an emergency call for police services would be handled by an officer on patrol in a police vehicle, not by an officer responding from a police station or other fixed location.

The response objective of the Field Operations Division, as stated in the city's 1989/90 Adopted Budget, relates to citizen satisfaction rather than to a response time standard. The objective is as follows:

To respond promptly and effectively to calls for service as evidenced by 90 percent of random citizen audits reflecting a rating of good or better in the area of officer performance and 70 percent of random citizen audits reflecting a rating of satisfactory or better in the area of response time.

Because of the security gate, the incidence of calls for police services per dwelling unit in the proposed project would be expected to be somewhat lower than in comparable hill areas and would be lower than the Citywide average. Therefore, the cost per dwelling unit of providing a reasonable level of emergency response by the Oakland Police Department to the residents of the proposed project would not be higher than the citywide average, but rather would be expected to be lower.

With respect to road maintenance costs within the proposed project, such costs would in large part be privately borne assuming the General Plan amendment to provide a private non-through street is approved. Moreover, the costs of maintaining road surfaces on newer roads are less than on older roads, according to City Public Works staff. In general, the per unit cost of delivering major City services to the proposed project would be lower than the average cost of delivering major City services to other dwellings in Oakland with or without the General Plan amendment to allow a private street.

Environmental Point J.89. (Street maintenance costs.) Revise page 404 and Table 31 to reflect that only the through road would be added to the public street system if the General Plan amendment were not approved. (167.73, 167.74)

Response. RDEIR page 404 and Table 31 on RDEIR page 407 have been revised to reflect that only the through collector road would be added to the public street system.

Environmental Point J.90. (Offsite Street Maintenance Costs.) No offsite street maintenance costs are included. (228.7)

Response. RDEIR page 404 has been revised to clarify the discussion of offsite street maintenance costs. The project would contribute to cumulative road maintenance needs in Oakland and, to a lesser extent, in San Leandro. Offsite street maintenance costs to the City of Oakland would be minimal and would be offset by added project-generate gas tax and vehicle fine revenues. Road maintenance costs in San Leandro would be insignificant. Please refer to the response to Environmental Point J.109 for more detail regarding road maintenance costs to the City of San Leandro.

Environmental Point J.91. (Cable TV subscription estimates.) Since the proposed CC&Rs for the development prohibit any exterior TV antenna or receiving devices, the assumption that only 40 percent of the residents would subscribe to Cable Oakland is grossly understated. (167.75)

Response. While it may be true that actual future franchise tax revenues could be higher, the fiscal analysis made conservative assumptions so that these revenues would not be overstated.

Environmental Point J.92. (Overestimation of project revenue.) The net revenue estimates are optimistic. (174.1, 228.5, 228.12)

Response. Comment noted. The fiscal analysis estimates are conservative.

Environmental Point J.93. (Cost/benefit of project.) This comment consists of a flow chart relating to the environmental fiscal costs and benefits of the project and comments 78.1 through 78.19. (208.1)

Response. Please refer to the responses to Environmental Points C.5, D.30, D.46, D.47, D.48, D.49, D.50, D.51, D.52, D.53, D.55, F.15, F.16, F.68, I.1, J.61, J.108, T.2, and T.16.

Environmental Point J.94. (Revenues of tax override versus expenditures for repayment of debt.) The fiscal analysis should exclude property tax override revenues since these are to repay long term debt. In a previous study done by the City the property tax override revenues were excluded. (227.7, 227.8, 227.9, 227.10, 227.11)

Response. Comment noted. As stated in the RDEIR fiscal analysis, the debt that the property tax override revenues repay is for police and fire retirement. This is an obligation that the City incurred prior to the action of the electorate in approving a property tax override as a means of raising revenue. In the absence of the property tax override, the obligation would have to have been met by general City revenues. This situation is very different from the more common situation where property tax overrides are used to cover debt service for a general obligation bond that finances the acquisition or construction of specified public improvements (i.e. for capital costs). In the latter situation, the voters approve both the incurring of debt and a property tax override to provide debt service. In the absence of voter approval, there is neither debt nor a property tax override. In the present case, the City had a preexisting obligation that it had the responsibility to fund whether or not the property tax override

received voter approval. Moreover, retirement benefits to police and fire employees are operating costs, not capital costs. Since the amount of the retirement liability on the part of the City is unaffected by the proposed project, debt service payments are properly excluded from the analysis. In fact, property tax override revenues accruing to the City from the proposed project are net new revenues to the City, and are properly shown as a project contribution to the City. The EIR fiscal consultants do not agree that the study referenced by the commenter correctly handled the property tax override in Oakland.

Environmental Point J.95. (Insurance liability claim.) The fiscal analysis should include some cost estimate for added insurance and liability claims to the City. The average cost per capita in the City comes to \$20.36. (227.12)

Response. This item covers City expenditures for insurance premiums and liability claims. Insurance and liability claims cost impacts were excluded from the analysis because the marginal cost impacts from the proposed project were found to be less than significant. The City maintains insurance coverage for surety, fire, loss, auto, aircraft, watercraft and other purposes. Insurance premiums on existing City assets would be unaffected by the proposed project. Additions to insurance premiums on assets acquired as a result of service demands placed on the City by the proposed project would be so small that they would be negligible. The increased liability exposure of the City, for which the City is self-insured, would not reasonably be expected to increase in proportion to the population increase generated by the project. Liability risk is more related to the performance or nonperformance of duties by City employees than to population increases in the City. Thus, the application of an average cost per capita technique in this case is inappropriate.

Environmental Point J.96. (Sales tax revenues.) No sales taxes will be collected on site, yet the RDEIR includes some sales tax revenues. (227.13, 228.11, 228.54)

Response. The comment is correct. The proposed project would have a direct impact on City sales tax revenues through taxable purchases within the City by project residents. Hence, these revenues must remain in the fiscal analysis.

Environmental Point J.97. (Data periods of revenue estimates.) The presentation of only two data periods tends to present an "optimistic" picture of the fiscal impacts. In early years the project will not generate the levels of revenues estimated in year five. After year five net revenues will decline as expenses rise more rapidly than property tax revenues. (228.13, 228.71)

Response. Comment noted. Both City revenues and City costs that would be generated by the proposed project would be lower in early years than in year five. Therefore, the EIR fiscal consultants disagree that the presentation of results for only two time periods presents an "optimistic" picture of what would happen in the early years.

The decline in net revenues after year five is indicated in Table 31 (RDEIR page 407). Also, the letter on page 624 of the RDEIR states that "*Because of the declining real value of property tax revenues, the projected surplus would decrease between the fifth and tenth year, and would continue to decline beyond the tenth year.*"

Environmental Point J.98. (Annual estimates of net revenues/losses.) Use of year five is particularly misleading since revenues appear to be maximized in that period. (228.14)

Response. City costs are also maximized in the fiscal analysis at year five and remain constant in real dollars to year ten. Property turnover rates are high in that year because of the sale of some new housing units. Hence, property transfer tax revenues are high in year five. It is for this reason, and the reason stated in response to Environmental Point J.97, that an analysis of the proposed project's impact five years after buildout (i.e., in year ten) was included.

Environmental Point J.99. (Variation of estimates by year.) Year ten is a more representative year than year five in terms of City revenues and costs. In the first four years the project's estimated "profits" would be much lower, possibly even negative. (228.16)

Response. See response to Environmental Point J.97. The EIR fiscal consultants see no empirical basis for the speculation that the fiscal balance that the proposed

project would produce in the first four years would be "possibly even negative." The EIR fiscal consultants agree with the commenter in that year ten is a better indication of the longer term fiscal implications of the proposed project for the City of Oakland than is year five. However, the fact that the proposed project would generate a larger fiscal surplus in year five remains a relevant consideration.

Environmental Point J.100. (Underestimation of roadway maintenance and police costs.) The EIR makes assumptions that tend to underestimate roadway maintenance and police service costs. (228.4)

Response. Comment noted. Roadway maintenance costs are based on information obtained from the City of Oakland Public Works Department (see page 402 of the RDEIR). Police costs are based on per capita estimates which tend to overstate service needs and costs. See response to Environmental Point J.37 for more information regarding police cost estimates.

Environmental Point J.101. (Overestimation of housing value, housing turnover, property tax, and real estate transfer tax.) The property turnover rate assumption that was used (12.5 percent per annum) tends to overstate property tax revenues and real estate transfer tax revenues. A similar study by the same consultant for a neighboring city used a lower rate of 9 percent. In that study for the neighboring city a 10 percent rate was termed "optimistic". Property values may not reflect market conditions, that have changed since the study was prepared. (228.9, 228.10, 228.52, 228.53)

Response. According to data from the California Association of Realtors, the residential turnover rate statewide was 14.5 percent in both 1988 and 1989, and was 13.3 percent in 1990 (see, for example, January 1990 California Real Estate Trends Newsletter). Thus, the assumption used in the fiscal analysis of the proposed project is more conservative than recent estimates of the statewide residential turnover rate.

The neighboring city referred to by the commenter was the City of Orinda and the project that was examined was directed toward very high income households with some house prices exceeding one million dollars. The characteristics of the Orinda project and the proposed project are not similar. Turnover rates that would be

expected in expensive housing are lower than would be reasonably expected in the proposed project.

The statement that in the Orinda study "a ten percent rate was termed 'optimistic'" is incorrect. As part of the analysis of the Orinda project a sensitivity analysis was performed on three sets of assumptions. These sets of assumptions included different assumptions about inflation rates and rates of house price appreciation as well as turnover rates. These sets of assumptions were labeled "Pessimistic", "Expected" and "Optimistic". The commenter takes one number out of context and fails to note that the "Expected" assumption set not only included a turnover rate lower than the present analysis but also included a lower inflation rate assumption and a higher house price appreciation rate. Use of the same inflation rate and house price appreciation rate assumptions in the analysis of the proposed project would have resulted in higher estimates of property tax and real estate transfer tax revenues.

While real estate market conditions frequently change over time, the EIR fiscal consultants have no reason to believe that the values used in their analysis are not sound.

Environmental Point J.102. (Inclusion of fines and penalty revenues.) The RDEIR excludes expenses from offsite roadway wear and tear but includes revenue from fines and penalties and gas tax. This treatment is inconsistent since page 404 of the RDEIR states that project-generated gas tax and vehicle fine revenues would offset street maintenance costs. This treatment overstates revenues and understates costs. (227.14, 228.55, 228.69)

Response. Offsite roadway "wear and tear" associated with the project traffic would be minimal and difficult to quantify. The revenues from fines and penalties gas tax were included in the cost revenue analysis because the amount that would be required to offset offsite roadway expenses is expected to be minimal. However, even if the fines and penalties and gas tax revenues were excluded from the equation, the conclusions of the fiscal analysis would not change. The total revenue estimated from fines and penalties and gas tax in year five of the project is estimated at \$45,300. If these revenues were excluded, the net City revenue resulting from the project would be approximately \$499,300. The total revenue estimated from fines and penalties and

gas tax in year ten of the project is estimated at \$40,800. If these revenues were excluded, the net City revenue resulting from the project would be approximately \$246,400.

Environmental Point J.103. (Operation and maintenance costs.) Explain the Police Department operations and maintenance costs noted on page 363. Are they included in Table 31? (228.59)

Response. The Police Department operations and maintenance budget mentioned on page 363 of the RDEIR is explained on page 411 of the RDEIR in terms of annual costs due to the project. These costs are included in Table 31.

Environmental Point J.104. (Cost to City of Dunsmuir House modifications.) Will there be any costs to the City for the Dunsmuir House modifications? (228.65)

Response. As stated on page 102 of the RDEIR, all costs associated with the Dunsmuir House modifications would be paid for by the applicant.

Environmental Point J.105. (Cost of I-580 improvements and the Peralta Oaks extension.) This point expresses concern regarding the City, Caltrans, and the federal government paying for I-580 modifications and the cost of the Peralta Oaks extension. (228.66, 250.2)

Response. As stated on page 97 of the RDEIR, the applicant would reimburse the City for all costs associated with the I-580 improvements. As stated on pages 227 and 228 of the RDEIR, the Peralta Oaks extension would be constructed by the applicant and then dedicated to the City. Since all costs would be paid by the applicant, there is no reason to include the cost of the Peralta Oaks extension in the fiscal analysis.

Environmental Point J.106. (Alternative access to cul-de-sacs.) Alternative access to all cul-de-sacs more than 300 feet long is not possible. The EIR should address alternate mitigations. (167.12)

Response. Page 372 of the RDEIR states that the applicant should work with the Fire Department to formulate a plan that provides acceptable emergency access to all

homes located on cul-de-sacs that are more than 300 feet long. As an alternative, the applicant could modify the project so that no cul-de-sac is more than 300 feet long.

Page 372 of the RDEIR has been modified to include this alternative.

Environmental Point J.107. (Trash dumping on Golf Links Road.) Dumping of trash along Golf Links Road is currently a problem and the increased traffic generated by the proposed project would intensify the problem. (96.5, 322.4)

Response. An existing problem of trash dumping along Golf Links Road is not a project impact. The EIR consultants are not aware of any evidence nor do they have any reason to believe that the proposed project would add measurably to the trash dumping problem.

Environmental Point J.108. (Services would be strained/funding for additional police and firefighters.) Services would be strained beyond their already stretched limits. It is unclear how the mitigation measure of adding police officers and firefighters could be implemented in a city with a serious existing budget problem. (78.16, 305.1, 322.5, 326.3)

Response. The fiscal analysis found that the project would produce more than adequate fiscal capacity for the City to augment its services in response to demands that would be generated by the project. Whether the City decides to use that added capacity to augment its service delivery capacity in response to the new demands generated by the proposed project is a policy decision to be made by the City Council.

The amount of additional demand that would be placed on City services from this one project are small relative to the size of Oakland. Such a small increment of demand, even if not responded to with additions to service capacity, would not be expected to produce significant "strain."

Further, it is not fair to the high level of service provided by the Oakland Fire Department to characterize its performance as at a "stretched limit." In fact, the City currently enjoys a very high level of fire suppression services. The OFD typically responds to residential fire calls with two engines and one truck, each with a four person crew (plus a Battalion Chief in a car). Many city Fire Departments in California

routinely respond to residential fire calls with two engines (or an engine and a truck) each with a three person crew (plus a Battalion Chief).

Environmental Point J.109. (Compensation to San Leandro for road maintenance costs.) Compensation to the City of San Leandro should be required to cover the increased costs of road maintenance that would be generated by traffic from the project. (98.55)

Response. The project would impose some insignificant costs on the City of San Leandro. The RDEIR (pages 237-244) identified less than significant traffic impacts on San Leandro streets as a direct result of the project (i.e., "project-only" traffic). These direct impacts can be accommodated by existing facilities. However, project-only plus cumulative traffic increases would result in a significant traffic impact at the intersection of MacArthur Boulevard and Estudillo Avenue. Mitigation of that impact would require the addition of a turning lane at that intersection. The added turning lane at that intersection would impose a less than significant maintenance cost increase on the city.

The increases in road maintenance costs on existing San Leandro streets from project generated traffic would be negligible. Road maintenance typically includes street sweeping, streetlight operation and maintenance, marking and signing, and road surface maintenance. The costs of street sweeping, street light operation and maintenance, and marking and signing are not significantly affected by traffic volumes. Surface maintenance costs are affected by the amount and type of traffic. As a general rule, truck traffic generates the maintenance burden on pavements, not auto traffic. An example (quoted by engineers) is that a multi-axle truck can generate 9,000 times the wheel loading on a flexible pavement as an auto. In other words, one trip by such a truck would equal 9,000 trips by autos in terms of road surface maintenance impacts. While the project would generate an occasional heavy truck trip (e.g. a moving van), the number of such trips on San Leandro streets compared with the existing number of such vehicular trips would be expected to be less than significant.

Environmental Point J.110. (Conventional wisdom regarding fiscal effects of residential development.) It is conventional wisdom that residential developments do not generate revenues that exceed costs for cities. The project appears to show a profit. (228.1)

Response. Whether or not a residential development will generate municipal revenues that equal or exceed municipal costs is highly dependant upon the specific characteristics of the development and its specific location. The structure of local finances varies substantially from city to city within California and often varies significantly from one part of a city to another. For example, the City of Oakland would receive close to 35 percent of the general property tax revenues generated from the specific site of the proposed project, an amount far greater than is typical of California cities.

The fiscal analysis in the RDEIR shows that "net city revenue" (City revenues minus City costs) would be positive for the proposed project. Since cities are not profit-making entities, it is not correct to refer to the difference between revenues and expenditures as a "profit".

Environmental Point J.111. (Cost of providing fire service to critical fire zone.) The categorization of the hill areas of Oakland as "critical fire zones" indicate that the cost of providing fire service to the proposed project would be more than that for the typical residential area. (228.27)

Response. There is no reason to believe that the demands that the proposed project would impose on the Fire Department would be greater than those of other hill areas in Oakland. All available evidence indicates that the demands on fire services generally from the hill areas of Oakland are significantly less than those generated from most other residential areas in Oakland. (See response to Environmental Point J.8.)

Environmental Point J.112. (Difference in population estimates from DEIR.) The DEIR for Dunsmuir Heights indicated an estimated population of 1,540 persons for 507 units (DEIR page 225). The RDEIR estimates only 1,406 persons for 507 units (RDEIR page 361). Please explain the difference? The smaller number may impact some costs and revenues. (228.61)

Response. The fiscal analysis in the 1991 RDEIR was based on a project containing 507 units with a population of 1,406 persons. The 1988-1989 DEIR assumed a higher person per household population for the townhouse units: the DEIR assumed 2.5 persons per unit and the RDEIR assumed 2.0 persons per unit.

The DEIR and RDEIR also assumed different persons per household estimates for the single-family custom home units: the DEIR assumed 4.5 persons per unit and the RDEIR assumed 4.0 persons per unit. The DEIR and the RDEIR both assumed 3.5 persons per production home. However, there are now 244 production homes and 13 custom homes proposed compared to 242 production homes and 15 custom homes proposed at the time that the DEIR was written. Table J.3 below shows the differences between the population estimates in the DEIR and RDEIR.

Table J.3
ESTIMATED HOUSING POPULATION BY TYPE

Type	1988-1989 DEIR		1991 RDEIR	
	Number of Units	Population	Number of Units	Population
Single Family Detached				
Production Homes	242	847	244	854
Custom Homes	15	68	13	52
Six-Unit Townhouses	186	465	186	372
Eight-Unit Townhouses	64	160	64	128
Totals	507	1,540	507	1,406

SOURCE: Wagstaff and Associates, 1991.

Environmental Point J.113. (Hillside street maintenance costs.) Hillside roads are more expensive to maintain. Is this included in the estimated road costs? If not, why not? Please justify. (228.67)

Response. No substantiation of the claim that hillside roads are more expensive to maintain has been included to support this comment. There are numerous factors that enter into the cost of roadway maintenance including the age of the road, width of the road, the underlying soils (roads over soils with shrink-and-swell characteristics are more costly to maintain than roads underlain by other soils), the number of streetlights, etc. The roadway maintenance cost factor provided by the City included in the RDEIR is an average cost that includes hillside roads.

Environmental Point J.114. (Limited abilities to enhance open space and recreation understated.) The RDEIR understates the degree to which opportunities to enhance open space and recreational opportunities in Oakland are limited. (107.8)

Response. This comment expresses a difference of opinion regarding the degree to which opportunities to enhance recreational and open space in Oakland are limited. The EIR consultants do not believe that this difference of opinion needs to be reflected in the EIR. Page 399 of the RDEIR finds that the project would increase existing deficiencies in park and recreation facilities and that the project would have a significant impact on nearby park and recreational facilities unless additional facilities are provided. Pages 400 through 401 of the DEIR identify mitigation measures required to reduce impacts on park and recreational facilities. Even if the EIR were modified to state that opportunities to enhance recreational opportunities are more limited than reflected in the RDEIR, the impact and mitigation measures identified in the RDEIR would not change. Please also see the response to Environmental Point J.67 regarding support expressed in this comment for the mitigation measure regarding provision of 3.5 acres of public park and recreational facilities.

Environmental Point J.115. (Cost to Oakland Unified School District.) The RDEIR does not mention income and possible costs to the Oakland Unified School District resulting from the project. Increased school costs would have to be paid for by Oakland residents. (207.1)

Response. Operating cost and revenue impacts on the Oakland Unified School District from the proposed project were not examined in the RDEIR because such an analysis is not required by CEQA. However, the following is provided in response to

this comment for informational purposes.

School district operating revenues are determined by state law, and are, in general, beyond control by a local school district. The amount of state operating revenues that accrue to a district is determined by, among other things, the number of students in attendance and the amount of local property tax revenues that flow to the school district. The proposed project would produce an increase in revenues to the Oakland Unified School District. In general, where school facility capacity exists or will be provided, the marginal operating revenues from a small increment in school enrollment would be expected to exceed the marginal costs of providing school services. Even if this were not the case, it is not correct that increased operating costs generated as a result of the proposed project would be paid for broadly by the residents of Oakland since the District has no mechanism to increase local taxes or exactions for operating purposes.

Environmental Point J.116. (Fiscal analysis documents.). No fiscal analysis documents are available to the public from the City even though they are listed as being available. (346.5)

Response. At the direction of the City, the EIR consultant provided requested fiscal documents.

Environmental Point J.117. (Schools section of EIR unsatisfactory.) The whole treatment of schools in the RDEIR is dismissive, meandering, inconclusive, and completely unsatisfactory. (324.1)

Response. The RDEIR is not meandering; the format follows the standard practice of describing the setting, impacts, and mitigation measures. The schools section of the RDEIR is neither dismissive, inconclusive, nor unsatisfactory. The RDEIR quantifies the impacts of the project and identifies mitigation measures to reduce those impacts to less than significant levels.

K. COMMENTS ON RDEIR SECTION IV.H: VEGETATION AND WILDLIFE

Environmental Point K.1. (Tree removal and replacement mitigation.) Require a plan to avoid removal of mature oak woodland trees. The requirement for new trees and cutting old trees needs to be more stringent. The tree replacement mitigation (plant one-year-old seedlings (avg. of 6" linear) on a 2:1 basis for every oak removed) does not comply with the Oakland Comprehensive Plan. How was the ratio of 2:1 seedlings to be planted to mature trees to be removed determined? What is the cumulative impact of "non-mature" trees to be removed? What is the estimated number of non-mature trees to be removed? If seedlings are considered significant going in, they should be considered significant going out, too! Isn't the removal of so many trees environmentally damaging and smog contributing? The oak woodland currently removes 224.43 tons of dust and gasses from the local environment and the tree removal would result in a health hazard. Where is the documentation to confirm that the California Department of Fish and Game (CDFG) approved of the applicant's tree replacement plan? Where is the applicant's tree replacement plan shown in the RDEIR? (98.19, 98.22, 118.3, 118.4, 154.38, 154.39, 168.14, 179.1, 189.10, 195.1)

Response. The 2:1 tree replacement ratio is a standard, accepted mitigation ratio and there are no ordinances or laws requiring a greater replacement ratio. However, the commenter is correct in stating that the project, even with the tree replacement mitigation, would not comply with the OCP. As stated on page 445 of the RDEIR, "Even with the proposed mitigations, approximately 951 trees would be lost. These losses would be inconsistent with OCP policy."

The cumulative impact of the removal of non-mature trees is considered less than significant. No count of the non-mature trees on site has been undertaken. However, based on observation during the count of mature trees, it is estimated that less than ten percent of the trees onsite are non-mature trees. The Oakland Tree Ordinance does not consider removal of non-mature trees to be significant and, therefore, does not regulate their removal.

The number of trees removed would not result in a measurable impact on air quality and would not result in a significant health hazard.

As stated on page 436 of the RDEIR, CDFG acknowledges that the tree replacement mitigation proposed by the applicant would reduce project oak woodland impacts to a less than significant level, although the Department prefers avoidance of tree removal wherever possible. The tree replacement plan is discussed on pages 611 to 614 of the RDEIR.

Environmental Point K.2. (Tree Ordinance.) Mitigation 4.2 on page 436 to "Submit a detailed planting design to the city for approval under the provisions of the city's "Tree Preservation Ordinance" is questioned because the project, as designed, could not comply. (118.5)

Response. The City *Tree Ordinance* sets forth a means of City control and monitoring of tree removal, and for the replacement of removed trees (see RDEIR section IV.H.4.b). Since the City's tree removal ordinance addresses coast live oak, the City's tree removal permitting procedure will represent an important means to address project tree removal concerns and implement related mitigations recommended in section IV.H.3.a of the RDEIR. Under the mitigation recommendations of the RDEIR, each tree removed would require at least two replacement trees. (The RDEIR mitigation section includes the recommendation that, for those trees that still must be removed after other project redesign mitigations, the project should include the planting of at least twice the number of trees on the site as would be lost.)

As explained on page 446 of the RDEIR, "Under the ordinance, the project applicant would have to apply for a tree removal permit and would have to tag each tree to be removed. Also under this ordinance, the city's Arboricultural Inspector (Parks and Recreation Department) is empowered to determine which of these tree removals should in fact be allowed, which should be saved through modifications to the project design, and to what degree allowed losses should be offset with tree replanting (i.e., the required replacement ratio). The inspector's discretionary determination is usually based on such considerations as the quality and aesthetic value of each tree and the

degree of concern expected by nearby neighbors.¹ The inspector's decision can be appealed to the city's Parks and Recreation Commission."

Environmental Point K.3. (Loss of oak woodlands and riparian draws.) Oak woodlands and riparian drainages cannot be mitigated properly with manmade ponds. (152.2)

Response. As stated on page 440 of the RDEIR, implementation of mitigation measure 6.1 ["To meet CDFG no-net-loss policy (with single access-road-with-crib-walls design), construct 13 in-stream ponds to retain a minimum of 7,000 square feet of ephemeral water surface for varying periods of time during and after rainfalls."] would reduce stream/drainage course impacts to a less than significant level. Nowhere has it been suggested that oak woodlands could be mitigated with manmade ponds.

Environmental Point K.4. (Age of onsite trees.) The RDEIR notes that "most trees found onsite are relatively mature" (emphasis added). How much larger can these eighteen-inch diameter, 40-feet tall trees get? Which species of trees were found to be this size? What percentage of trees counted are estimated to be over fifty years old? Over one hundred years old? Over two hundred years old? (154.11)

Response. Coast live oaks and California bay trees can attain significantly greater size and maturity (up to at least two or even three feet in diameter and 50+ feet tall), although on such relatively dry sites, the current standing crop is about as mature as such a site permits. Actual age determinations were not made as part of the EIR investigations, although the more mature oaks on the site are probably between 80 and 100 years old. There are probably very few, if any, trees on the site that are over 100 years of age.

Environmental Point K.5. (Oak woodland throughout the City.) The RDEIR notes that the site is one of the last remaining large pockets of oak woodland in the City. What other large pockets of oak woodland remain in Oakland? How large are they? How do they compare to the project site in terms of biotic value and usable wildlife habitat? Are they contiguous to other open spaces? (154.12)

¹Joseph Newman, Arboricultural Inspector, Parks and Recreation Department; May 31, 1988.

Response. As to this site being one of the last large pockets of oak woodland in the City, no regionwide surveys have been conducted to determine what other stands still remain. There is at least the adjacent dense woodland on the Drinnen property. While there are certainly other remaining woodland groves and/or forests in the region (most notably on East Bay Regional Park District and East Bay Municipal Utility District lands), the Dunsmuir woodlands are also undoubtedly one of the last, if not the last, remaining large areas of private, undeveloped woodland within the City of Oakland.

Environmental Point K.6. (Relevance of oak tree regulation.) How does paragraph four on page 418, regarding local protection for coast live oak and the lack of state, or federal, protection relate to the project site? (154.13)

Response. The relative local value of coast live oak may or may not be highly significant (depending on local government priorities and policies). There is no other state or federal regulation to protect coast live oak. The actual value and degree of special significance of coast live oaks on the project site must be established by the City of Oakland.

Environmental Point K.7. (Effect of drought on plant identification.) What effect has the drought had on sensitive plant species identification, observation and abundance? (154.20)

Response. The effect of drought on sensitive plant species is unknown, although it was noted that other known sensitive plant sites in the region were found to support rare plant growth in virtually all years of the continuing dry spell. Some of these affected species have produced smaller, less vigorous individuals, smaller total populations, and smaller seed crops, but the plants have appeared and grown in spite of the relatively poor growing conditions. Based on this evidence, plus the demonstrated general ability of many native perennials to accommodate subnormal rainfall (all native species are in fact adaptable to periodic drought), it is not likely that the recent dry years have resulted in any actual absences or elimination of such species.

Environmental Point K.8. (Black walnut trees.) How many native Black Walnut trees were identified? How was it determined that these Black Walnuts were introduced to the site, rather than native to the site? If it cannot be substantiated that these are introduced rather than native, how does this stand of Black Walnut trees compare to others within the City of Oakland? If found to be a natural native of the site, would they then be considered "rare" or "sensitive"? (154.21)

Response. The question regarding black walnut as a 'sensitive' species is largely a carryover from a previous California Native Plant Society (CNPS) designation that this tree was a rare species. What has come to light since that initial listing (CNPS 1984) is that this native tree is believed to be 'native' (that is, unplanted by humans, including Native American Indians) in only two locations, one near Las Trampas Ridge on the west side of the San Ramon Valley and one in Napa County. All other occurrences are thought to be adventive individuals and/or colonies that have regenerated from planted stands or individuals. Since this species has in modern times been planted and reproduced widely, it is now known to occur throughout much of the state as a 'naturalized' or re-distributed species. The species is not rare at all, except for the fact that only two of the original three stands that have been determined to be 'native' still remain. Therefore, virtually all extant walnuts now are regarded as modern reproduction from planted or redistributed colonies and are not considered rare or sensitive. Because of the relatively young age and size of the few walnuts present on the Dunsmuir site (as well as all other known walnuts in the City), none of these can be considered as even remotely representing anything but regeneration from planted or adventive colonies. None of the site's walnut trees are considered to be rare or sensitive, although they do provide good ecological value and additional diversity to the local riparian zone communities.

Environmental Point K.9 (Diameter of mature coast live oaks.) The RDEIR states that mature Coast Live Oaks more than six inches in diameter will be removed. Where is the six inches measured? At natural grade? At breast height? How many six-inch diameter coast live oak trees will be removed? What is the estimated age of a coast live oak measuring six inches in diameter at the height measured? (154.26)

Response. The RDEIR clearly states that the mature coast live oak "more than four inches in diameter" were measured at breast height (4.5 feet above natural grade). The measurement was taken at the average grade. As stated on page 428 and in Table 32 of the RDEIR, approximately 1,795 mature trees (including oak, bay, buckeye, and miscellaneous ornamentals) would be removed onsite and approximately 13 would be removed offsite to accommodate the Peralta Oaks Drive-Foothill Way extension.

The estimated age of a coast live oak measuring six inches in diameter at breast height is ten to 15 years old. The ages are highly variable and depend on the site conditions (e.g., water, soil).

Environmental Point K.10. (Location of trees to be removed/methodology for estimating losses.) If a 100 percent survey of all trees four inches or more in diameter at breast height was performed, why weren't these tree locations mapped for the purposes of determining project tree loss impacts? The method used in the RDEIR only estimates losses based on averages. Why use approximate data when exact locations were recorded? Why doesn't the RDEIR specify exact tree losses? Do the vegetation losses given include the EBMUD parcel located on the site which was just purchased by the developer in December 1990? (154.27)

Response. The methodology of determining tree loss based on average tree density per acre is adequate for environmental impact purposes. A study of exact tree losses would not change the basic RDEIR conclusion regarding oak woodland impacts. As stated on page 428 of the RDEIR, "...project tree losses...would represent a significant environmental impact in both a local and regional context."

The vegetation losses do include the EBMUD parcel (the Anthony Reservoir site) purchased by the developer in December 1990.

Environmental Point K.11. (Impact on existing oak trees.) Will the existing oak trees be damaged due to the following factors: watering and "upheaval" necessary to plant new trees; pruning; damage caused by vehicles and construction equipment; altered drainage patterns making the soil too wet or too dry; introduction of new pests and diseases from

new plantings; and root system damage from grading and trenching. How much soil can be removed in the area and still guarantee tree survival? Further study of this issue and proper mitigation must be included in the Final EIR if oaks are to remain healthy. (168.11, 179.1, 189.9, 192.30, 192.31)

Response. The concerns and threats to trees left on the site are valid and are to be addressed in the RDEIR-recommended open space management and tree replacement plans. These plans must include provisions for proper and prudent protection for trees to remain. Care must be taken to maintain the remaining trees in as natural a setting as possible, including avoiding unnecessary watering, pruning, etc. These clarifications have been added to the RDEIR on page 440 in response to this comment. In accordance with the requirements of the City of Oakland Tree Ordinance (Article 6 of the Subdivision regulations) and the Wildlife and Vegetation Mitigation Plan included on pages 611 to 614 of the RDEIR, the remaining trees on site will be protected and, as stated in the tree mitigation plan, planted trees that die will be replaced.

The critical factor in determining a tree's potential for survival are possible impacts on the tree's root system. Soil loss is a factor affecting a tree's root system. A tree can lose up to 30 percent of its root system (through soil removal, addition of too much soil etc.) and still survive. It is estimated that fewer than five percent of the trees on site might be subject to such conditions due to cutting and grading activities. However, these trees will also be protected through mitigation measures included in the Wildlife and Vegetation Mitigation Plan featured on pages 611 to 614 of the RDEIR, and through enforcement of the City's Tree Ordinance. Because these measures would protect trees and would require replacement of any trees that may be damaged, further study and mitigation is not required for the Final EIR.

Environmental Point K.12. (Loss of native grassland.) Of concern is the potential loss of any native, undisturbed grasslands "which are at this time rare in the city of Oakland and in California as well." (152.1)

Response. Comment acknowledged. As stated on pages 426 and 428 of the RDEIR, the loss of three acres of native perennial grassland due to the project would represent a significant environmental impact.

Environmental Point K.13. (Plant vigor.) Paragraph two on page 421 of the RDEIR notes two areas of "low individual plant vigor" among the sage scrub community. How large are these areas? What effect has five years of drought had on individual plant vigor? (154.14)

Response. Areas of "low plant vigor" can be found throughout the region and the project site, owing to the historic displacement of native vegetation by weedy introduced species, plus the shallow soils in some areas, and the hot, dry exposures found on some slopes. As discussed in paragraph two on page 421 and shown on Figure 70 on page 419 of the RDEIR, the scrub areas located away from the woodland edges are areas of low individual plant vigor.

While some of the sage scrub on the site may be affected by the drought, this native natural vegetation is generally less affected by the drought conditions, in that the native species are better able than non-native species to withstand prolonged periods of dry weather (by remaining dormant longer, producing less biomass, and as perennials, demonstrating less reproductive effort in dry years). Many are able to wait for a better year in which to grow and re-colonize or expand populations.

Environmental Point K.14. (Plantings in crib walls.) How does the applicant propose to induce vegetative growth in a crib wall where the wall is immediately adjacent to bedrock? (The roadway is partially blasted.) If such a feat is possible, how will irrigation of the crib wall plantings affect slope stability? What about in "pervasively weathered bedrock" areas? (154.37)

Response. There are numerous drought-tolerant species that could be established in the wall, as well as on other exposed bedrock surfaces, given careful auguring, planting, and initial irrigation. The amount and application of irrigation can be conducted such that the plants receive the required moisture while avoiding the kind of over-watering that could result in slope stability problems. Also, given the hard, inherently stable nature of both the crib walls and naturally occurring bedrock, stability relative to landscape watering would not be expected to be a problem.

Environmental Point K.15. (Definition of riparian, riparian species.) In paragraph four on page 421 of the RDEIR, what is the EIR consultant's definition of "riparian" by which the "heavily wooded runoff channels" mentioned are not considered riparian? Is it based on the species present? If so, which species are not present which define riparian habitat and prevent these areas from being described as riparian? Would "true" riparian habitat provide more or better biotic value than the current vegetation at the project site? In what ways? The RDEIR states that California bay and coast live oak are not normally associated exclusively with riparian habitats. Many species normally associated with riparian habitat are not exclusively found there. Live oaks, bay, and buckeye are all commonly associated with foothill riparian communities¹, and the FEIR should reflect that fact. (154.15 and 154.16)

Response. The "heavily wooded runoff channels" are not considered to support true riparian habitats in the physical sense. The difference is in the species composition, as dictated by the predominant lack of water during most of the year. These local wooded ravines support common, upland trees such as coast live oak and the California bay (plus scattered buckeye), while true riparian woodlands typically contain willows, cottonwoods, box-elder, sycamore, walnut, and other tree species that are more dependent on year-round or at least more abundant water. The existing woodland groves found along most of the local ravines are commonly found on north exposures and many protected upland slopes, as well as on virtually all exposures closer to the coast. While it is true that these common foothill woodland tree species do occur in many riparian situations, they are generally not considered to be indicative of true riparian habitats. It is the absence of true riparian (water-dependent) species that result in these ravines being considered as non-riparian.

True riparian woodlands do provide greater habitat values than those that are present in the local dry ravines, in that they provide a longer active growing season, greater primary productivity, greater secondary production of insects and detrital matter; plus they have a greater general diversity of species, both plants and animals. The point mentioned in the RDEIR that bay and live oak are not normally associated exclusively with riparian habitats is important in the context that riparian systems are regarded and recognized for their exceptional ecological values, and that the local ravines, for the

most part, do not fit this character. The fact that some "riparian" species do not always occur only in riparian habitats is not the point, even though most riparian species are, in fact, much more restricted to such wet habitats. The point is that the local ravine communities are not representative of the riparian conditions and values that are recognized and protected under various state and federal policies and regulations. This distinction is important, even though such oak-bay woodlands do provide other ecological values. Oak-bay woodlands are simply one of the more common woodland types in both the state and the local region (central coast ranges), while true riparian vegetation (which often contains some live oak and bay) represents some of the most valuable, most severely depleted, and most vulnerable types of vegetation.

Environmental Point K.16. (CDFG participation in Alameda whipsnake trapping.) Was CDFG aware of the trapping methodology used? If so, how were they notified? Did CDFG supervise any portion of the survey? Did CDFG approve of or recommend the trap locations, trap style, or trap size? (154.1)

Response. In order to conduct a trapping survey for the Alameda whipsnake, authorization, in the form of a Memorandum of Understanding (MOU), must be obtained from the California Department of Fish and Game (CDFG). The MOU lists the requirements and standards for the trapping program. LSA requested and received an MOU from CDFG for an Alameda whipsnake trapping survey on the Dunsmuir Heights project site. The Memorandum of Understanding (MOU) entered into by LSA Associates, Inc, and CDFG for this study states the following: "Capture of whipsnakes will be done by hand or traps approved by the Department. Standard fitch funnel traps may be used. Traps should be located in areas where adequate shade occurs." All CDFG MOU stipulations were complied with in the trapping effort. A copy of the MOU is included in the revised RDEIR Appendix F in the errata section of this document.

Environmental Point K.17. (Trapping methodology.) The trapping technique used by LSA, the "Fitch trap," is not currently used for trapping whipsnakes and it is unlikely that one would be trapped using this method. A new survey is requested, using the techniques currently used by Gary Beeman, Wildlife Biologist with CDFG. There is sufficient reason to doubt the trapping techniques used in the study. Another study is requested using proper

trapping techniques. Were the whipsnake traps appropriate and adequate? Was a vegetation overlay prepared onsite? Was all suitable habitat covered? How were traps positioned in relation to the contour of the land and proximity to coastal scrub, grassy areas, and wooded areas? Were traps set on the southern and southeastern portions of the site? How long were the traps in place and between what dates? What was the height of the drift fence? What was the size of the trap? Was a one-way flap gate used? Was the Fitch trap successful in any recent Whipsnake trappings? If so, when and where? Was a wire mesh driftfence used successfully in any recent Whipsnake trappings? If so, when and where? How were trap location and orientation chosen? Trapping was required for a two-year period for another project; is there a basis for not requiring a two-year study period at the Dunsmuir site? The snake may migrate to a water source during drought periods. (154.2, 154.3, 165.26, 168.10, 204.A.1, 204.A.2, 311.1)

Response. The "Fitch" trapping technique described by Henry Fitch in 1951 in the Journal Herpetologia, is the basic method used by all whipsnake surveyors. It refers to a trap design of a trap body with two funnel shaped entrances. Fitch notes that the trap body can vary in size depending on the intended species. Fitch did not use drift fences to guide animals into the traps, but rather placed them where natural objects (logs, rock outcrops) would serve the same purpose.

Trap design has evolved since Fitch published his article, and experience working with whipsnakes has resulted in changes in each of the last three years. The trap design employed by LSA (a 14 x 6 x 6 inch trap body made of mesh hardware cloth with two 3/4 inch diameter at apex funnel entrances) was modeled after the traps used by CDFG in their field surveys of the Los Vaqueros watershed. This trap successfully caught and held Alameda whipsnakes at the Los Vaqueros site. During the 1989 field season, LSA caught seven snake species, including the related yellow-bellied racer, using this trapping technique.

The trapping survey was conducted using methods approved by the CDFG and the survey was conducted at the time of year they required by CDFG. The traps were successful in capturing and holding a variety of small vertebrates (nine species, including three other snakes) on the Dunsmuir Heights project site.

The ratio of snakes caught in traps to the number caught by hand is a function of the amount of time spent searching for snakes away from the trap sites. There is no set ratio which can be applied because of this variable. The Dunsmuir Heights trapping areas contain old boards, planks, an sheet metal debris which serve as cover objects for a variety of small vertebrates. These areas were routinely checked for snakes when the traps were checked, resulting in an increased number of hand captures.

The traps were placed in locations considered to have the highest probability of occupancy by whipsnakes; i.e., areas of chaparral and coastal sage. Alameda whipsnakes are more specific in their habitat preferences than most other snake species found in this area and, if present, would most likely be captured in these areas. Other snake species present in this area are not common in chaparral/scrub habitat due to lower numbers of their favored prey species, and their absence from the traps was not unexpected. LSA would assume both the gopher snake and western terrestrial garter snake would be present on the Dunsmuir Heights project, due to their widespread distribution in the East Bay and the presence of suitable habitat on the project site.

Regarding a two-year whipsnake survey, CDFG's standard procedure is to specify the study period in the MOU. CDFG did not specify a two-year study period for the Dunsmuir Heights site, and has not subsequently requested a longer study period than that identified in the MOU. Therefore, a two-year study period is not required.

Environmental Point K.18. (Inadequate attention to wildlife, especially the Alameda whipsnake.) Wildlife issues are not adequately addressed. In particular, the Alameda whipsnake investigation did not "put out enough trap lines to adequately cover the snake's habitat." The size of the holding trap is also questionable. Another study should be undertaken. (152.3)

Response. Wildlife issues have been addressed adequately for environmental impact documentation purposes. As required by section 15143 of the CEQA Guidelines, the EIR focuses on the significant effects of the project. Section 15143 states "the significant effects should be discussed with an emphasis on proportion to their severity and probability of occurrence." Potential wildlife impacts associated with this site and

proposed project have been adequately addressed. See response to Environmental Point K.17 for responses regarding the whipsnake survey.

Environmental Point K.19. (Trapping undertaken in accordance with CDFG standards.)

The Memorandum of Understanding (MOU) entered into by LSA Associates, Inc., and CDFG for this study states the following: "Capture of whipsnakes will be done by hand or traps approved by the Department. Standard fitch funnel traps may be used. Traps should be located in areas where adequate shade occurs. All traps will be monitored daily."

(167.93)

Response. Comment acknowledged. The MOU provisions were complied with.

Environmental Point K.20. (Experience of trappers.) There is reason to doubt the experience of the trappers in this situation (e.g., temperature data not recorded between May 27 and June 14). Why were field personnel switched mid-way through the survey? Do these people have a successful whipsnake trapping track record? What are their backgrounds? Did Mr. Papenfuss supervise all field visits and data gathering? Did he perform any field investigations? If so, when and which trap locations? (154.4)

Response. Collection of temperature data was not a requirement of the MOU and is not normally collected during snake trapping surveys. This information was collected by LSA in an attempt to correlate reptile activity with daily temperature. While showing trap locations to the new field crew member, thermometer locations were overlooked.

The original field crew member who checked traps on the Dunsmuir Heights site travelled out of the country to conduct doctoral research, necessitating a change in field crew.

Dr. Papenfuss is a herpetologist who is a Research Associate with the University of California Museum of Vertebrate Zoology. All field personnel who checked traps have university training in biology/zoology and have served as field crew members on similar biological field studies.

Dr. Papenfuss travelled to Russia between May 27 and June 14 to meet with Russian herpetologists and to collect specimens. His absence was not critical to the study, as his primary roles were to select trap locations and interpret data, not serve as the individual checking the traps on a daily basis.

Environmental Point K.21. (Possibility of trap vandalism.) Refer to page 604, paragraphs three and four, regarding a thermometer which "disappeared" on June 15th. How does LSA account for this disappearance? Is it possible that these traps were tampered with? If it is possible that these traps were tampered with, isn't it also possible that captured whipsnakes were released from the traps? (154.5)

Response. LSA does not know what happened to the thermometer. However, there was no indication that the traps were vandalized. Vandalism is typically indicated by broken traplines, overturned traps, etc. These conditions were not observed onsite. LSA found enough animals in the traps to indicate that the survey was not tampered with. Absolute assurance that the traps were not tampered with cannot be given. However, it is reasonable to assume that they were not tampered with and that there were no captured whipsnakes that were released from the traps and therefore not recorded.

Environmental Point K.22. (Number of dead animals in traps.) Refer to page 601, paragraph 3 of the RDEIR. How many animals were found dead in the trap? Which animals were found dead? (154.8)

Response. Two dead animals were found in the traps: one western fence lizard and one unidentified mouse.

Environmental Point K.23. (Whipsnake habitat, potential existence of whipsnake onsite.) Please refer to page 425, and also the top of page 605, where it is speculated that, potentially, the lack of extensive stands of northern coastal scrub and coastal sage scrub are responsible for the apparent absence of the whipsnake on the site. Based on available whipsnake data, what historically is the minimum available habitat (in acres) known to support a whipsnake? What is the minimum habitat acreage requirement on which LSA's speculation is based? According to LSA's own report, little is known about the whipsnake's

home range size or its territorial requirements. If the LSA speculation as to reasons for apparent absence of the snake cannot be scientifically substantiated, this speculation should be deleted from the report. (154.7)

Response. There is no published research that has documented the home range or amount of habitat necessary to support an Alameda whipsnake. Past estimates ranged from five to ten acres per animal. The Department of Fish and Game has funded research on whipsnakes for the last two years and individual snakes have been fitted with radio transmitters to follow their movements. Researchers have found that there are whipsnakes using patches of brush habitat much smaller than previously thought (as small as one-half of an acre) as part of a larger home range which incorporated other habitat types. The results of this research have not been published to date.

The LSA whipsnake trapping report contains a discussion that attempts to identify why whipsnakes were not found on the Dunsmuir Heights project site. This discussion has been included in the RDEIR to identify possible reasons why whipsnakes were not found on the property. The CEQA Guidelines expressly provide for including this type of information in Section 15142 (the consideration of qualitative as well as quantitative factors) and Section 15144 (forecasting).

Environmental Point K.24. (Impacts on sage scrub/whipsnake habitat.) The RDEIR notes that loss of sage scrub is not considered significant since the presence of the Alameda whipsnake is unlikely. There is reason to doubt the thoroughness of the whipsnake survey. If a whipsnake was found on the site, what effect would this have on the biotic impact of this development? (154.28)

Response. The reference to scrub impacts stated that botanically the impacts would be relatively insignificant, since this plant community is still relatively widespread and abundant in the region. Obviously, however, if the Alameda whipsnake is present, the importance of this scrub community as wildlife habitat is of much greater significance. If the whipsnake were discovered on the site, the project would be required to incorporate mitigations to adequately protect the scrub habitat in the area of the capture, including possible use of a conservation easement with stipulations to ensure

that the area was adequately separated and protected from human activity, and that snake movement in and out of the protected area would not be disrupted.

Environmental Point K.25. (Range of Alameda whipsnake.) The recent sighting of the Alameda whipsnake has been five miles south of the project site. Although a small portion of the site may represent an area in which the Alameda whipsnake could live if imported, it does not represent an opportunity to extend its range. See LSA letter with attachments signed by Malcolm J. Sproul, dated February 22, 1991, attached as Exhibit I which states the following:

The revised DEIR makes reference to the possibility of extending the range of the Alameda whipsnake on page 425, paragraph 2. The project site is already within the range (the geographic area in which it occurs) of the Alameda whipsnake. It has been collected from Leona Canyon to the north, the Kaiser Creek drainage to the east, and from the vicinity of the California State Hayward campus to the south. The whipsnake survey was conducted because the site is within the known range of the species and suitable habitat is present. No whipsnakes were captured, and they do not appear to occupy this site. (167.77, 167.D.2)

The Alameda whipsnake has been observed one mile south of the site on Fairmont Ridge. (204.A.2)

Response. Regarding the EIR statement that a small portion of the site may represent an opportunity to extend the range of the Alameda whipsnake, page 425 of the RDEIR has been revised to correct this inaccuracy.

There are no verified records of Alameda whipsnakes one mile south of the site on Fairmont Ridge. Dr. Sam McGinnis of California State University, Hayward, who has compiled records of whipsnake observations, has no record of whipsnake sightings in the vicinity one mile south of the site.

Environmental Point K.26. (Trapping in offsite riparian areas.) Was any whipsnake trapping done in offsite riparian areas adversely effected [sic] by changes in drainage patterns and water quality? (204.A.5)

Response. No whipsnake trapping was undertaken in offsite riparian areas.

Environmental Point K.27. (Photo of Alameda whipsnake)

Response. Photograph only; no specific comment on the RDEIR.

Environmental Point K.28. (Characterization of wildlife food supply on site.) Refer to the bottom of page 604 of the RDEIR, where LSA concludes, "the numbers of fence lizards on the site would appear sufficient to hold, at least temporarily, any whipsnakes moving through the site." This implies that whipsnakes are migratory, and would only "pass through," and not permanently occupy, any particular area. If this implication cannot be substantiated, it should be deleted from the report. This statement also implies that the food supply in the area is not sufficient to hold the whipsnakes permanently. This reference to temporary food supply should be deleted, unless it can be substantiated that the food supply is not adequate for a permanent whipsnake population. (154.6)

Response. The statement regarding "whipsnakes moving through the site" is not related to migratory movement by the whipsnake. Whipsnakes move within a home range or territory in search of food or move due to other factors such as related to the breeding season. A whipsnake that moved between portions of the Dunsmuir Heights project site and adjacent properties would find a sufficient prey base on the project site to use this area rather than simply move through it to get to another location. This would also be true for young whipsnakes who would find an adequate food supply on the project site.

The commenter also believes that the statement in the whipsnake trapping survey implies that the food supply on the site is not sufficient to hold whipsnakes permanently. This is not the intent of this statement. It states that the food supply at a minimum is sufficient to keep whipsnakes on the site for a short period of time if not permanently.

Environmental Point K.29. (Cumulative effect of landfill operation on wildlife.) Regarding the extensive landfill operations at the nearby Oakland Lake Chabot Golf Course, what effect, if any, did this disruption have to wildlife in the Dunsmuir Ridge/Golf Course/San Leandro Creek area? Is it possible that the Alameda whipsnake was present originally at the landfill/stream area, but driven onto the Dunsmuir Ridge area? Is it possible that

whipsnakes migrated to the Dunsmuir Ridge area from the landfill/stream area after LSA's survey was completed? What are the cumulative effects of the landfill operation and the Dunsmuir Heights project on potential whipsnake habitat at these sites? (154.9, 204.A.7)

Response. The fill area on the Lake Chabot Golf Course has largely occurred within the creek zone and adjacent habitat types of oak/bay woodland, baccharis/poison oak brushland and grassland. These habitat types are not preferred Alameda whipsnake habitat. It is unlikely whipsnakes were present in this area prior to filling due to the absence of suitable habitat. The landfill operation began and the majority of area was filled prior to the start of the whipsnake trapping survey. The primary effect of the landfill on whipsnakes if they were present would be to present a barrier to dispersing individuals.

Environmental Point K.30. (Animal species found in oak woodland.) Regarding page 424, the second full paragraph of the RDEIR, why is there a discussion of species "typically" found in "such" oak woodland? General information as to which animals may exist in similar oak woodland should be replaced with site-specific confirmed identifications and site-specific suspected species. (154.22)

Response. The RDEIR biotic analysis was based in part on a number of site reconnaissance field visits by the EIR biologists. The common nature of the onsite habitats indicated that more extensive site-specific wildlife surveys were not warranted, except for the purpose of determining the presence of sensitive wildlife species such as the Alameda whipsnake. For common habitats in generally developed areas (City of Oakland), it is common practice to identify the species that are generally associated with the habitats present. Field observations were made of the site's wildlife habitat conditions and of the common species utilizing these areas. Only when and where possible habitats of sensitive wildlife species were indicated as possible (i.e., the coastal scrub areas) were more detailed surveys conducted.

Environmental Point K.31. (Mortality impacts to animal species.) What number of animals and of what species are expected to be displaced or killed as a result of this project? The RDEIR notes that the number would be "relatively minor." What number would constitute a "major" displacement or mortality impact? (154.30)

Response. The number of animals that would be lost has not been quantified and is not the kind of information required by the EIR process. The species to be affected are likewise not specified in detail, since the animals that live in the area are generally common. The more mobile species (such as birds, small mammals, and some reptiles) would be able to move away into adjoining open space and/or neighboring properties during construction, while the species most likely to lose individuals would include mostly reptiles (snakes and lizards), some rodents (mice and other burrowing animals), and many insects. The distinction between a major and minor impact (in terms of number of animals lost) is not simply a matter of how many, but rather, the relative numbers, the species' distribution, and the degree of restriction for certain habitats. With the level of disturbance proposed with this project, plus the relatively common nature of wildlife communities present, the direct impact to wildlife is regarded here to be minor. A 'major' displacement could occur if the construction were to eliminate large amounts of high-productivity habitats (e.g., true riparian woodland, wet meadow or marsh) or areas that provide substantial support for highly localized or sensitive species (whipsnakes, critical foraging or nesting habitats, etc.). However, this is not the case for the proposed project.

Environmental Point K.32. (Impacts on resident wildlife activity, removal or relocation of wildlife.) The RDEIR states that increased deer activity can be expected at the golf course and adjacent residential areas due to this project. Can the same be expected for other resident wildlife? If so, why weren't they included in this statement? The RDEIR states that this effect would not constitute a significant biotic impact. That depends on how this effect will be handled. Will harassing, chasing, or otherwise removing wildlife from the golf course and residential areas be prohibited by law? How will problem animals be handled? Is it possible that they will be removed, relocated, or destroyed if they become a continuing nuisance or hinder golf course playability? At what point will removal or relocation of wildlife become a significant biotic impact? (154.31, 154.32)

Response. Completion of the proposed project would cause a general increase in the use of adjacent areas, including both the golf course and private yards, by wildlife, including deer and other mobile species. Even though this may be regarded by those landowners as an important impact, it is not regarded as a significant biotic impact

since the species involved are already able to use those adjacent areas and the change would be one of relative numbers. Further, since the adjoining lands will not provide any greater level of resources to wildlife than they already do, this shift should be temporary until the new situation (more wildlife in a smaller total habitat area) "equilibrates." There will probably be a subtle increase in wildlife-related nuisances on the adjacent lands, but this effect should decline as the animals naturally partition remaining resources among the remaining individuals. Only if whole populations were to be eliminated from the study area would the shift to adjacent lands be regarded as a significant biotic impact, and even this would most likely represent a temporary effect.

Environmental Point K.33. (Impact of vehicle traffic on wildlife undercrossings and wildlife ponds.) How will 5,000 vehicle trips per day traveling across the wildlife undercrossings affect their use by wildlife? Where have wildlife undercrossings with a similar level of traffic been used effectively? What effect will car exhaust, noise, and traffic have on the use of the wildlife ponds located adjacent to roadways or residential areas? What will prevent sedimentation from collecting in wildlife ponds? What sort of maintenance would the ponds require? How will fertilizer applied to newly planted adjacent areas affect water quality and habitat value of the detention ponds and wildlife ponds? (154.40, 154.41)

Response. The actual effects of these factors on wildlife are difficult to reliably predict. The measures proposed in the mitigation plan, however, strive to ameliorate the overall adverse project impacts, and in the judgment of the CDFG and the EIR biologist, should help enhance the remaining habitat for the wildlife that do remain in the area and which are tolerant of nearby human activities. The question is not so much how will the wildlife respond to road undercrossings and ponds, but do these elements help reduce the overall impacts and help minimize the total effect. Given the alternative to undercrossings (crossing the main roadway), it seems obvious that the proposed undercrossings would help reduce the potential adverse impacts. Also, while the small ponds may have long-term sedimentation-related maintenance implications for the homeowners association, they would undoubtedly help enhance the site for continued use by wildlife over the alternative of having no water features. Again, these measures are designed to minimize the overall impacts and to enhance the remaining resource values, regardless of the exact level of actual use that would occur.

Environmental Point K.34. (Replacement habitat, general impacts.) Although it may meet certain governmental agencies' wetlands requirements, obviously filling streams and creating ponds in their place is not equivalent habitat. What effects will this change in type of habitat have on the types of wildlife expected to use these ponds? Will a different type of wildlife be attracted to the area? Will any wildlife presently existing at the site be expected to leave due to loss of their specific habitat requirements? If so, which species? Will the ponds attract new species which may compete with species presently existing on the site? What effects will removal of mature vegetation and replanting with immature vegetation have on the usability of the created habitat for area wildlife? (154.45)

Response. While some seasonal riparian habitat would be displaced by more permanent water features, the overall result should be positive in that this provision of surface water would benefit many species of wildlife. This would diversify the local habitat and would provide important water sources for many species. The loss of summer dry ravines would be relatively insignificant, and the addition of the surface water features would represent a wildlife benefit. This minor habitat tradeoff has been deemed warranted by the EIR consultants and CDFG. No wildlife species would be expected to leave specifically because of this minor shift in habitats, nor would any significant increase be expected by species not already using the area. It is possible that some water-dependent birds would use the area more extensively once the water features are constructed, but this would not be considered an adverse impact. The removal of mature vegetation at the pond sites would be very minor, and the newly planted vegetation at the pond sites would be expected to grow rapidly into cover that would be quite usable and valuable to wildlife.

Environmental Point K.35. (Wildlife movement.) How would the solid masonry wall (proposed as a mitigation to reduce impacts on the golf course) interfere with wildlife movement and foraging ability from the open space areas remaining on site to the surrounding open space areas? (165.10)

Response. The temporary construction fence and permanent solid masonry wall would be expected to decrease the degree of wildlife movement between the project site and the golf course. As stated in paragraph three on page 443 of the RDEIR, it is

likely that deer populations would move from the site to the regional parklands to the east. This is likely for other wildlife as well.

Environmental Point K.36. (Serpentine habitat and revegetation on serpentine soils.) The RDEIR notes that no significant natural serpentine habitats were present. Were any natural serpentine habitats present? It is noted that past grading has exposed serpentine areas. What is the potential for additional serpentine areas to be exposed during project or road grading? Of potential serpentine areas which may be exposed during grading, will these areas be replanted? If so, what plant species will be used to replant in serpentinic soils areas? Will excess serpentinic soils be removed from the site (due to grading operations), or will they be used as fill in other areas on the project site? Serpentine is not conducive to plant growth. If the roadway cuts through serpentine and subsequent planting is done to hide the grading, a much slower growth rate would be expected. In fact, many plants, trees etc. cannot grow in serpentine soil. An example of what could result are the hill areas that have been graded in nearby San Leandro. They have been an eyesore for years and will continue to be for many more. (93.55, 154.18, 154.19, 165.19, 190.18, 190.39, 204.A.10, 276.9)

Response. In fact, no naturally-occurring surface serpentine was found in the study area. The only serpentine that was identified is a very small pocket of subsurface serpentine substrate that was exposed during some previous excavation and/or road cutting. This does not represent a natural serpentine habitat and it was not found to support a natural serpentine community. It is possible that additional serpentine could be exposed during project construction. This impact potential has been added to page 422. If this becomes the case, special revegetation techniques would likely be implemented to assure adequate stability and restoration of the exposed area. This measure could, in fact, represent a new potential habitat for certain species if an area of sufficient size was created; however, it is more likely that exposed subsurface serpentine may not have the soil development or other factors necessary to provide viable surface habitat for native vegetation. If substantial serpentine is exposed, some form of specialized revegetation would be warranted, possibly including the spreading of non-serpentine soil over the affected areas to allow for better vegetation coverage and stabilization. Page 442 of the EIR has been revised to include this mitigation measure.

Environmental Point K.37. (Value of landscape mitigation.) What is the value of mitigations 1.3 and 1.4 on page 434 of the RDEIR which specify use of native plants in both common and private landscaping? (118.6)

Response. As explained on page 434 of the RDEIR, the EIR recommends use of native, drought-resistant plants. These species are preferable for water conservation reasons and have more wildlife value associated with them than non-native species.

Environmental Point K.38. (Use of native plant species list in Appendix F, use of native plants in landscaping, characteristics of proposed tree species.) What is proposed list for use? Does developer intend to homogenize all of list in hydro-seeding tank and apply to scarred slopes to assure some germination? That quantity would indicate developers design team anticipates problems in procurement and therefore "CYA" approach. To assure availability, all plant material would necessitate contract growing with proof substantiated. What does it mean exactly to "emphasize" the use of native plants in common landscaping areas? Will it be a requirement that common areas be only landscaped with natives? How can it be determined whether this constitutes a reasonable mitigation without reviewing the particulars of the plan? (118.7, 154.35, 167.34)

Response. The RDEIR recommendation that native plants be emphasized in the open space and general landscaping plans means that these species should be used extensively and should form the bulk of the plantings in common areas. Selected ornamental species may be acceptable, depending on their use and extent, with the decision to be made by CDFG and/or the City.

Environmental Point K.39. (Use of alders and box elder in landscape mitigation plan.) *Alnus rhombifolia* (alder) in native state adjoin the river banks of California with roots literally in the water. In urban setting they are highly susceptible to scale and canker. Box elder are weed specie[s]. (118.8)

Response. Alders would be included in the newly-created riparian areas onsite and would have their "roots in the water." The box elder was chosen because it has associated wildlife value.

Environmental Point K.40. (Cultivated plantings.) What portion of the project site, in acres, currently contains cultivated plantings? (154.17)

Response. The study area contains very little "cultivated plantings." In fact there is probably less than one acre of actual planting of such vegetation. Rather, there are simply scattered individuals (and occasionally very small patches) of ornamental volunteers such as eucalyptus, acacia, cottoneaster, and assorted garden herbs. These are not significant in the local landscape; however, such volunteer vegetation and planted ornamentals are much more abundant on adjacent residential lots.

Environmental Point K.41. (Landscape planting program, introduced plant species.) How can habitat losses be compared or quantified if "a specific landscape planting program has not yet been detailed"? Without a specific landscape planting program, the environmental impacts of this project cannot be adequately described or mitigated. The Final EIR must include this information. How can it be determined that "project-related introduced landscaping would diversify the vegetation of the site" if a specific landscaping planting program has not yet been detailed? What effects will this diversification have on habitat value? (154.23, 154.25)

Response. The specific landscaping and open space management plans would be formulated as the project proceeds through the City's normal development review and permitting process. Conceptual plans have been reviewed by CDFG and the City and have sufficiently identified the specific goals of retaining certain semi-natural aspects of the general landscape, as well as providing additional measures (supplemental plantings) to enhance and diversify the area's remaining open space. The RDEIR also makes it clear that, while implementation of some of the vegetation mitigation measures discussed on pages 433 through 435 of the RDEIR would reduce the project's vegetation impacts, the impacts on habitat loss would remain significant and unavoidable, as stated on page 435.

Because of the site's currently degraded and largely depauperate biotic condition (limited native plant species relative to the extensive invasion by non-native grasses and weeds), plus its limited dry-site exposures, it is possible to introduce considerable diversity by simply planting carefully selected groupings of other regionally indigenous

(but not currently onsite) species in semi-natural configurations in the site's open space areas.

With respect to the RDEIR statement that the landscape plan could diversity the area, this is based on the fact that the existing setting on the project site is relatively species-poor and could be enhanced to resemble more of a natural situation by re-introducing some of the native species (redwood, valley oak, madrone, Douglas-fir, chaparral shrubs, native grasses, etc.) that may have once existed here before grazing, non-native species invasions, and other land disruptions.

Environmental Point K.42. (Common vegetation.) The RDEIR notes that "most of the vegetation that would be lost is common to the region." What is the "region" being included here? Since "most" was used, rather than "all," this implies that at least some portion of the vegetation lost is not common to the region. Which species fall into this "uncommon" category? How many acres, trees, etc. which are "uncommon" to the City of Oakland would be removed? (154.24)

Response. The "region" referenced here is the central Coast Range. Regarding the statement that "most of the vegetation that would be lost is common to the region," this could actually read "all" instead. While some of the vegetation is less abundant (i.e., coastal sage scrub, native perennial grassland), it is in fact all still relatively common and occasionally locally abundant in the region (the central Coast Range). There are no species which would be considered regionally uncommon, although within the City of Oakland itself, any native vegetation is increasingly less common due to the extent of urbanization within the City. Paragraph one on page 426 of the EIR has been revised to read "All of the vegetation that would be lost is common to the region."

Environmental Point K.43. (Vegetation on Drinnen property.) The EIR should include a description of the vegetation present on the Drinnen property. (154.10)

Response. The Drinnen property immediately northwest of the Dunsmuir site supports relatively dense oak/bay woodland that is very similar to that on the project site. This includes numerous medium age live oaks and California bay trees, plus a typically

sparse understory of toyon, poison oak, honeysuckle, snowberry, and young shade-tolerant tree seedlings. There is generally very little groundcover (ferns, woodland bromes, hedge nettle) except in the few clearings. Since this adjacent property was not specifically surveyed, no more detailed or specific descriptions have been prepared. Such a discussion would not add to the understanding of the impacts of the proposed project.

Environmental Point K.44. (Impacts on riparian habitat in San Leandro Creek.) Identify the project impacts on riparian habitat within San Leandro Creek. The City of San Leandro recommends implementation of any mitigation measures necessary to protect San Leandro Creek. What is the cumulative impact of project-related downstream sedimentation and pollution of this project and the golf course landfill operation? (54.10, 154.33, 154.44)

Response. The impacts of the project on San Leandro Creek and downstream habitats are expected to be relatively minor, assuming implementation of the RDEIR-situpulated erosion control measures and other standard efforts to prevent downstream sedimentation (e.g., installation of sediment traps, seasonal restriction of activities, etc.). The impacts from the golf course landfill operation should be subject to the same standards for erosion control and potential impact mitigations as the project in order to prevent significant cumulative impacts. This impact finding and mitigation need have been added to the EIR (see revised pages 432 and 443).

Environmental Point K.45. (Lack of topsoil/ability for trees to thrive in rock.) The RDEIR does not address the issue of the lack of topsoil and the ability for the site to sustain a healthy landscape. (118.9)

Response. Lack of topsoil is not an issue of concern for this site. The site geotechnical conditions onsite are similar to surrounding conditions in Chabot Park Highlands, Bay-O-Vista, and on adjacent East Bay Municipal Utility District lands (see Figure 51). The site will support continued retention of existing vegetation and, as demonstrated by surrounding areas, would support introduced vegetation. If there are any specific topsoil deficiencies onsite, topsoil would be supplemented as necessary to support introduced vegetation.

Environmental Point K.46. (Cumulative filling impacts on drainages.) Page 430 of the RDEIR states that ". . . the effect of the total project drainage filling, in combination with similar filling that has occurred elsewhere in the region . . ." Where in the region has this filling occurred? If this constitutes a significant cumulative impact, more discussions of this "similar filling" should be made in the Final EIR. (154.29)

Response. While quantification and/or specific identification of other drainageway filling in the region has not been attempted within the scope of this EIR, it is well known that numerous instances of such filling activities have taken place throughout the region. The reference is to known past and ongoing impacts to ephemeral drainages; this represents a significant cumulative loss (in combination with ongoing losses) of seasonal wetlands and/or ephemeral riparian habitats in the region, but does not represent a significant direct or local impact.

Environmental Point K.47. (Effectiveness of educational brochures.) Since there is no guarantee that any of the recommendations in the educational brochure mitigation measure would be followed (on page 434 of the RDEIR), no avoidance or reduction of impacts would take place. This measure is inconsistent with the definition of mitigation and should be deleted. (154.36)

Response. It would be important for new project residents to be educated as to the values and the sensitivity of their surroundings so that cooperation regarding open space restrictions, general land stewardship, and the day-to-day management of the remaining resources can be adhered to and achieved. The "brochures" mitigation would contribute to this objective. This mitigation measure is not meant to stand alone, but rather is one of several measures recommended to minimize long-term project impacts on remaining biotic resource values, and should be retained as part of the overall mitigation package.

Environmental Point K.48. (Proposed pond impacts.) Will ponds suffer from sedimentation due to mass wasting of intermittent streams during runoff periods? What is the potential for flooding or overflow of these ponds? A description of dam construction is essential to determine impacts to slope stability. Implementation of linings or check dams will not work because existing slopes are too steep. What are the visual impacts of these

dams? How will these appurtenances be tied to the proposed drainage terraces? What will the dams be made of? (154.42)

Response. Minor, long-term sedimentation may occur in some of the ponds, and the final open space management design should address this potential issue prior to implementation. The potential for flooding with respect to these ponds should be negligible, and the dams are expected to spill water naturally as they are overtopped by collected runoff. Dam construction would be described in the final construction plans. The visual impacts of these ponds should be minimal, since they are each small, generally isolated (out of sight) facilities, and they will support at least some peripheral vegetation. Other detailed specifications should be provided in the final open space management design.

Environmental Point K.49. (Rear lot fencing recommendation undesirable.) RDEIR page 443 recommends fencing along rear of project lots that are contiguous to substantial open space areas. There are no project "lots." Homeowners will not have gardens or yards. All land beyond house foundations will be common area. Such fencing could be effective only if the two areas could be totally separated, which is not possible. Such fencing could impair Fire Department access in the event of wildfire. What sort of residential fencing will be effective in preventing deer from jumping over and rabbits from digging under? How tall will the fence be? What are the visual impacts of such a fence? What constitutes a "substantial" open space area as it is used here? Which houses will have this special fencing? How will it differ from other fencing within the development? (154.43, 167.14)

Response. Comments acknowledged. While the points made regarding the infeasibility and ineffectiveness of fencing are valid, the City of Oakland has requested that the fencing mitigation remain in the EIR. However, as an alternative to fencing, two new mitigations have been added to page 443 calling for establishment and enforcement of project leash laws, use of conservation easement provisions to protect vegetative and wildlife values in these common outdoor areas, and use of native plants in any introduced landscaping for these areas.

Environmental Point K.50. (EBMUD open space mitigations.) Project impacts on EBMUD open space are identified in the RDEIR (e.g., domestic cats and dogs foraging for food,

poaching and shooting, off-road vehicle access, firewood gathering, dumping, etc.). However, mitigation plans are not provided and should be completed prior to project approval. (157.16)

Response. Please refer to the response to Environmental Point D.29.

Environmental Point K.51. (Solid masonry wall mitigation measure.) The RDEIR states the project may result in a long term increase in deer use of the golf course and surrounding residential areas after project construction due to a decrease in the amount of on-site forage and water supplies. This impact is described as less than significant. As mitigation, the report proposes the construction of a solid masonry wall along the entire length of the shared boundary with the golf course. There is no biologic basis for this proposed wall and it would not provide the desired mitigation. (167.D.1)

Response. As stated, the deer intrusion impacts described on page 432 would be less than significant. The solid masonry wall mitigation discussed by the commentor is proposed on page 143 of the RDEIR for the primary purpose of reducing land use compatibility and golf course security impacts. This mitigation measure is mentioned in the context of deer intrusion impacts for the purpose of identifying the secondary benefits of the wall, which would be to decrease the degree of deer intrusion from the site to the golf course.

Environmental Point K.52. (Mitigation measure is proposed by the applicant.) The fourth component of mitigation 1.1 mitigation measure listed on page 434 (the third paragraph on page 434) is proposed by the applicant. (167.78)

Response. Comment accepted. Page 434 of the EIR has been revised accordingly.

Environmental Point K.53. (Impact of reduced water quality on habitat.) Has there been an evaluation of the effect of reduced water quality on oak woodland and native grassland habitat onsite and offsite not directly removed by grading? (204.A.6)

Response. The Drainage and Water Quality section of the RDEIR (IV.E.) addresses the water quality impacts of the project. Please refer to page 329 of the RDEIR which

states that "Some project runoff would be channelled onto wooded open space acreage to the north and south. However, because of the general soil characteristics and topography in these adjacent open space areas, permeability would be restricted and most of the runoff (45.51 of the projected 57.33 cfs) would be directed downstream into San Leandro Creek and the local storm drainage system."

Altered water quality due to changes in local runoff patterns and water sources is not likely to significantly impact oak woodland and native grassland habitat onsite and offsite, based on comparable situations throughout the state.

Environmental Point K.54. (Other species of concern.) Has there been an evaluation of the Dunsmuir site as suitable habitat for other species of special concern? Is the intermittent stream area suitable for breeding activity of the Red-Legged Frog or Tiger Salamander? (204.A.3)

Response. Data was collected regarding sensitive species known from this region and an evaluation was made as to the likelihood of there being other such species present in the area. Based on the habitats present and the literature accounts for this region, it was deemed unlikely that any other species of critical concern occur here. The local creeks may provide suitable habitats for red-legged frogs and/or tiger salamanders, but since the project as proposed will avoid these habitats almost exclusively, no further investigations were pursued.

Environmental Point K.55. (Regional importance of site.) The RDEIR fails to recognize the site as an integral part of a regional system. Figures 4 and 41 of the RDEIR present the site as an ecological island. Massive grading for the access road and building site would completely disrupt the regional wildlife corridor east to west thereby degrading the habitat value of open space to the north and south. (204.A.4)

Response. The biotic relationship of the site to the region is adequately discussed in the RDEIR (see response to Environmental Point K.42.). The importance of the site as a wildlife corridor or connector to open space lands to the north and south has not been investigated, since the site is already largely surrounded by some type of human-oriented development (golf course, homes, etc.). Also, because any form of

development on the site would alter current wildlife activities and use, it is a given that development of this property would indeed interrupt wildlife movements. It is generally true that development of this site would have an incrementally degrading effect on other adjacent open space lands, but this is similar to the basic premise that any development would result in a decline in general wildlife use. These are largely unmitigable impacts of any development. The decision regarding the acceptability of such inherent impacts must be made by the City and/or CDFG.

Environmental Point K.56. (Vegetation and Wildlife Mitigation Plan.) Nearly all of the Wildlife and Vegetation Mitigation Plan centers on vegetation plans which have not yet been developed or which have not yet been made available to the public. These mitigation measures should be made available for public comment and review before a Final EIR is issued. We request to view the "Enhancement Planting Plan" and "Homeowners Association Long-term Open Space Management Program", and any other documents detailing the vegetative and landscaping plans for this site. (154.34)

Response. The revegetation goals and some specific measures to enhance wildlife habitats are included in the applicant's vegetation and wildlife mitigation plan (pages 433-443 of the RDEIR). While all of the exact specifics of these measures are not provided in the RDEIR, the process has included extensive coordination with CDFG and has reached a point where the proposed plan is acceptable to CDFG. The specific planting designs and related activities will be implemented in accordance with the stated goals of the current plan, subject to final review by CDFG and the City. It is not the role of the EIR to provide all details of the mitigation plan. Since CDFG has accepted the proposed plan at its current level of detail, it is deemed adequate for the EIR purpose. CDFG will still have the opportunity to review the final mitigation plan elements prior to issuance of the necessary streambed alteration permit.

Environmental Point K.57. (Rare species found on Fairmont Ridge.) Note the rare species found on the Fairmont Ridge site (list attached). If certain rare plant and wildlife species were found on Fairmont Ridge, doesn't it make sense to state that in the Dunsmuir EIR? The Fairmont EIR noted that Peregrine Falcons probably hunt there. Is it possible they would also hunt at Dunsmuir Ridge? (269.1, 269.2, 269.3, 269.4, 269.5, 269.6)

Response. Page 589 of the RDEIR includes a list of sensitive plant species potentially in the San Leandro Hills region. As stated on page 422 of the RDEIR, the sensitive plants known in the region were specifically sought during spring field surveys of the site conducted by the EIR biologist on May 3, 1988 and March 7, 1989. None of these sensitive plants were found on the site during these surveys. Page 422 of the RDEIR specifically states that sensitive plants found in the Fairmont Ridge area were not found on the site.

As discussed on pages 423 and 425 of the RDEIR, while there may be occasional use of the site by seldom seen, sensitive wildlife species including large raptors, the site does not provide a significant amount or quality of habitat to allow these species to remain. As discussed in the response to Environmental Point K.36, the site does not contain serpentine habitat needed to support the Harvestman spider and the Bay checkerspot butterfly. The site was surveyed for the Alameda whipsnake (previously known as the Alameda striped racer.).

Environmental Point K.58. (Site plan revisions and level of project impacts.) Mitigation measures have been confused with substantial revisions to the site plan. Following a series of site plan revisions, which may or may not reduce adverse impacts, the question remains whether or not the final site plan substantially diminishes habitat for fish, wildlife, or plants. The revised site plan would create a significant adverse impact on vegetation and wildlife which cannot be mitigated to insignificant levels. It is important that this impact be fully disclosed to the public and decision-makers in the FEIR (see CEQA, Appendix G, Significant Effects (b and c)). (204.A.8)

Response. The mitigation measures are generally identified as such in the RDEIR. However, in ongoing efforts to truly minimize the environmental impacts, some such measures are actually incorporated into the proposed project resulting in a revised project design. While they may be confusing if one wishes to keep mitigation and project features separate, the overall effect of these efforts are unified in the attempt to reduce the ultimate impacts.

The RDEIR provides full disclosure of unavoidable adverse impacts. Please refer to pages 532 through 534 of the RDEIR for a discussion of unavoidable adverse impacts (i.e., impacts that could not be mitigated to a less than significant level).

Environmental Point K.59. (Vegetation mitigations inadequate.) The proposed mitigation, to plant species of trees on the remaining grassland areas as mitigation for removal of mature trees proposed no subsequent mitigation for the additional elimination of grasslands. Clearly this is a case of robbing Peter to pay Paul, and should not be considered an adequate mitigation. (225.8)

Response. The loss of annual grassland habitat is considered to be of considerably less importance than that of losing woodland or scrub. The use of open grassland to create/compensate for woody vegetation losses is not regarded as a significant adverse tradeoff. Also, the values of grassland would be diminished for most wildlife use (e.g., raptors, grazing) with any development. In light of such factors, this tradeoff is deemed acceptable.

Environmental Point K.60. (Wildlife impacts during restoration period.) Page 479 (footnote 3) states that *"Typically, hydromulched areas would have useful restored habitat value after two to three years. Planted trees and shrub areas would have useful restored habitat values after five to ten years."* Where to the wildlife go during the "period before useful habitat is restored"? This contradicts the "mitigations" claimed in the vegetation and wildlife section. (225.9)

Response. There is no question that wildlife displaced from the site during construction would decline in number and health due to the decrease in resources available. Some animals would move to other nearby lands, some will die. In time, this situation would adjust naturally as the population adapts to the new level of resources available. The goal in conducting revegetation and open space planting is not necessarily to maintain the current wildlife populations at existing levels, but rather to enhance the remaining habitat so that future population numbers may be somewhat higher than would otherwise be experienced without habitat enhancements. Overall, these efforts would reduce the inherent impacts of development.

Environmental Point K.61. (Encourage use of native plants.) Page 57 of the RDEIR includes a mitigation measure to encourage within the project CC&Rs and information materials the use of native trees and/or shrub buffers along the backs of residential lots. The word "encourage" should be changed to "require." (98.18)

Response. This recommended change is not accepted because it is not reasonable to include such a requirement within project CC&Rs or informational materials.

Environmental Point K.62. (Mitigation implementation.) "Strict teeth" must be required of the developer and subsequent homeowners regarding the substantial planting and its required maintenance and prohibitions against off-road vehicle travel, etc. (98.18)

Response. Page 433 of the RDEIR has been modified to include information regarding the procedure by which implementation of such mitigation measures would be assured. Such measures would be included as conditions of project approval and they would be subject to city zoning abatement procedures.

L. COMMENTS ON RDEIR SECTION IV.I: AIR QUALITY

Environmental Point L.1. (Air pollution impacts.) The RDEIR transportation section does not address air pollution impacts. (96.1)

Response. Project-related air quality impacts are thoroughly addressed in section IV.I of the RDEIR.

Environmental Point L.2. (Air quality policies/agencies.) The RDEIR transportation section fails to identify related policies or agencies that are relevant to air quality impacts and vehicle emissions. (96.2)

Response. Related policies and agencies relevant to air quality impacts are described in section IV.I of the RDEIR.

Environmental Point L.3. (Road gradient impacts on air quality.) The steep hill travel of the 507-unit project will produce a disproportionate amount of pollutants. (98.20, 341.4)

Response. A thorough analysis of air quality impacts is presented in RDEIR section IV.I. The analysis does not specifically consider topography (i.e., steep hill travel) as a contributing factor to air quality impacts; however, the analysis does assume worst case meteorological conditions and maximum delays at intersections. Furthermore, none of the intersections of greatest concern with respect to local air quality impacts (listed on Table 36) are located in areas of steep topography requiring "steep hill travel."

Environmental Point L.4. (Dust impacts.) Dust from all the exposed dirt will be a problem for years. (134.4)

Response. Construction period air quality impacts, including dust emissions, are addressed on RDEIR pages 460 and 461. Recommended mitigation measures are listed on RDEIR page 462.

Environmental Point L.5. (Construction period mitigations/monitoring.) What air quality mitigations are proposed during construction and grading? How will they be monitored? (190.52)

Response. Mitigation measures for construction period air quality impacts are listed on RDEIR page 462. No specific recommendations have been made relating to monitoring; however, the City of Oakland would be responsible (as required by AB 3180) for monitoring any mitigation measure included in the certified EIR that is attached to the project as a condition of approval. A monitoring program would be established at project expense subsequent to EIR certification, if the project is approved.

Environmental Point L.6. (MTC air quality analysis requirements.) The RDEIR fails to address MTC CEQA approval process. (205.7)

Response. The new MTC approval process (required by MTC resolution 2270) is intended to evaluate roadway projects listed in the regional transportation improvement plan (TIP) for carbon monoxide impacts. The procedure also applies to any project which would receive federal funding. MTC has not determined at this time whether the procedure should apply to projects (such as the proposed alteration to freeway onramps associated with the Dunsmuir Heights project) which are not included in the TIP, and will not be federally funded, but which may require federal approval

A thorough analysis of the air quality impacts of the project, including project impacts on carbon monoxide levels on local streets in the project vicinity is included in the RDEIR (section IV.I).

Environmental Point L.7. (Air quality impacts of project versus development in outlying areas.) The air quality impact comparison of housing sited at Dunsmuir versus an outlying area is specious. Most trip generation attributable to the project is not job-connected. Many employees living in outlying areas would work and commute nearer to home when projected job growth at those locations are considered. (205.11)

Response. While many residents in outlying areas also work close to home, the average commute miles of residents of new executive homes in outlying areas is greater than for residents of Oakland. A significant portion of total project trip generation is expected to be job related.

Environmental Point L.8. (Tree removal of dust and gases.) The amount of tree removal from the project would eliminate the removal of 238.75 pounds of dust and gases from the environment. (300.2)

Response. See response to Environmental Point K.1, paragraph 3.

M. COMMENTS ON RDEIR SECTION IV.J: ARCHAEOLOGY

No comments on this RDEIR section were received.

N. COMMENTS ON RDEIR SECTION IV.K: ENERGY

No comments on this RDEIR section were received.

O. COMMENTS ON RDEIR SECTION V: PROJECT ACCESS

Environmental Point O.1. (Golf Course access.) The idea of a major road through the golf course is ludicrous. (22.2)

Response. Comment noted. The RDEIR analysis of the impacts of an access through the golf course can be found on pages 489-498, page 506 in the first and second paragraphs, and on page 507, in the fourth and fifth paragraphs.

Environmental Point O.2. (Additional analysis of six entrances.) The RDEIR analysis of the six entrance roads proposed should include visual simulation of each alternative, should have an EIR prepared for each alternative, and should be distinguished from the proposed project. (93.54)

Response. See response to Environmental Point F.17.

Environmental Point O.3. (Comparative access impacts.) The RDEIR does not present the impacts of various access alternatives in one package (e.g., there is very little evaluation of the geologic and seismic hazards of access alternatives). (93.58)

Response. Primary access route alternatives are evaluated in RDEIR section V on pages 482 through 489. The discussion concentrates on visual impacts, tree removal, cut-and-fill volumes, and road grades because these are the relevant issues to these alternatives. Geologic and seismic impacts outside of those discussed would not vary substantially between alternatives.

Environmental Point O.4. (Status of crib wall alternative.) Is the single road with crib wall alternative a mitigation addressing visual and geologic hazards or another project? (93.59)

Response. As explained on page 263, the alternative project access designs are alternative mitigation approaches proposed in the EIR to reduce identified roadway gradient and emergency vehicle width clearance impacts of the access design proposed in the Preliminary Development Plan project application. Some of these RDEIR mitigation approaches were suggested by the applicant's design team in

response to the 1988-1989 DEIR. As also explained on page 206 of the RDEIR, these access choices also represent mitigations which could reduce identified visual impacts of the proposed project.

Environmental Point O.5. (Safety impacts on Golf Links Road.) The RDEIR does not address safety impacts of the through access alternatives on Golf Links Road. (96.4)

Response. See response to Environmental Point F.18.

Environmental Point O.6. (Golf Links Road alternative.) The impacts of the alternative to connect with Golf Links Road should be studied. (98.10, 98.12)

Response. See response to Environmental Point F.18.

Environmental Point O.7. (Through traffic from connection to Golf Links Road.) The proposed access through the golf course to Golf Links Road will result in large amounts of through traffic. (98.23)

Response. See response to Environmental Point F.18.

Environmental Point O.8. (Access road impacts on golf course.) The RDEIR should address the impacts of a through access on the golf course. (98.63)

Response. See response to Environmental Point F.24.

Environmental Point O.9. (Limitation on golf course access.) The access connection to Golf Links Road should be limited to emergency access. (113.2)

Response. This comment is consistent with the recommendations on page 263 of the RDEIR.

Environmental Point O.10. (Grade constraints of golf course access.) Through access to Golf Links Road cannot be constructed without exceeding maximum allowed road grades (16 percent) and should not be considered. (113.3)

Response. As stated on RDEIR page 491, the access route to Golf Links Road currently under consideration (it has been revised since the 1988 Draft EIR) would have a practical roadway gradient of 10 to 15 percent. Short stretches of this road would require up to a 20 percent gradient (which exceeds City standards). If detailed engineering design of the route could not create a roadway acceptable to the City, then the roadway could not be considered as an alternative access.

Environmental Point O.11. (Access impacts on golf course.) The road through the golf course will have a devastating impact on the golf course. (134.10)

Response. Impacts of the roadway on the golf course are described on page 491 of the RDEIR.

Environmental Point O.12. (Mitigation via land swap.) A solution to the single project access problem would be to move the project onto the golf course property (through a land swap) and by providing an upgraded driveway with a landscape median. (159.2)

Response. Comment noted. Please see response to related Environmental Point E.49.

Environmental Point O.13. (Visual impacts of access road.) A solution to the visual impacts of the uphill access road along the western land would be to use camouflage architecture and landscape screening. (159.3)

Response. Comment noted. Several elements of the recommended access design alternatives (e.g., crib walls, bridges, landscape screening, are included in the access alternative design described on pages 482 through 489). Please see response to Environmental Point E.49.

Environmental Point O.14. (Source of noise wall recommendation.) The noise wall recommended on RDEIR page 482 is proposed by the applicant. (167.80)

Response. Comment acknowledged. The text on RDEIR page 482 has been revised to acknowledge that the applicant proposed this mitigation.

Environmental Point O.15. (Drainage drawbacks of access with bridges.) The RDEIR text on page 481 should state that the access road containing bridges would eliminate the drainage benefits achieved by the single-hillside-road-with-crib walls alternative. (167.79)

Response. The RDEIR has been revised on page 489 to reflect the drainage related drawbacks of the access road design with bridges.

Environmental Point O.16. (Drawbacks of access road with bridges.) The single road access design with bridges is not acceptable due to its inability to incorporate retention ponds, its high construction costs, its visual impacts, and its susceptibility to damage from seismic activity. (167.81, 167.E.4)

Response. The RDEIR has been revised on page 489 to acknowledge the drainage drawbacks of this design and its higher construction costs. The visual and potential seismic impacts of the bridge design would not make this alternative "unacceptable," however.

Environmental Point O.17. (Infeasibility of Golf Links Road connection.) The through access to Golf Links Road is infeasible due to road gradients necessitated by the area topography, impacts on golf course, Sheffield Village, and the project residents. (167.83)

Response. Please see response to Environmental Point O.10. The RDEIR adequately evaluates the Golf Links Road connection on pages 489 through 498.

Environmental Point O.18. (Inadequate investigation of Golf Links Road connection.) The Golf Links Road access has not been fairly investigated. (170.5, 340.5, 340.6)

Response. An adequate RDEIR evaluation of the alternative access from Golf Links Road can be found on pages 489 through 498.

Environmental Point O.19. (Proposed horseshoe road alignment.) The horseshoe alignment shown in Figure 78 could be improved (as shown on marked up Figure 78) to eliminate the need to move the golf course entrance gate and to reduce general impacts on the golf course. (170.6, 342.3)

Response. The new access road connection with to Golf Links Road should be at approximately a 90 degree angle for traffic safety purposes. The proposed new access road would become the thoroughfare alignment of Golf Links Road, and the Golf Links Road link to the south would be realigned to connect to the new road at a 90 degree angle. Because of this required realignment, relocation of the gate would be unavoidable.

The other realignment alternative shown on RDEIR Figure 78 (between the gate and the 18th tee) is not considered to be an improvement over the route proposed because it would be just as disruptive to the course. Street gradient and curve radius requirements for a 25 mph design speed would necessitate that a portion of the road along this route be constructed in a five to ten foot deep or greater cut between the 12th fairway and the 18th tee.

Environmental Point O.20. (Seriousness of golf course playability impacts.) Narrowing certain fairways, shortening some holes, and/or providing a tunnel under the 12th fairway are not serious adverse playability impacts. (170.7)

Response. Comment noted. The impacts to the playability of the golf course have been determined by the Oakland Office of Parks and Recreation to be significant and adverse. Several other commenters who use the golf course have echoed this OPR conclusion.

Environmental Point O.21. (Road conflicts with golfers.) Road conflicts with golfers going from green to tee off points can be resolved with tunnels. (170.8)

Response. Small pedestrian tunnels under roadways may be possible. However, the proposed larger tunnel under the 12th fairway as shown on the drawing submitted by the commenter may be too expensive compared to the relative benefit. These conflicts

could be more economically resolved without the use of tunnels. In addition, both the smaller pedestrian only and combined auto and pedestrian tunnels would create potential crime-related safety impacts which, combined with their cost, may outweigh potential benefits to golf course playability.

Environmental Point O.22. (Screening of access through golf course.) High screening of the road is essential to increase golf course security and reduce golf ball hazards to roadway traffic. (170.9)

Response. This comment is consistent with RDEIR recommendations on page 492.

Environmental Point O.23. (Seismic related benefits of connection to Golf Links Road.) The major benefit of the primary access route connecting to Golf Links Road is that the Hayward fault does not cross this route. (170.10)

Response. This comment is consistent with the RDEIR conclusion that an emergency access to Golf Links Road be provided. This emergency access would be available to the project if a major earthquake on the Hayward fault causes surface rupture and prevents access via the proposed primary project access road.

Environmental Point O.24. (Desirability of dual access road.) The "Dual Roadway Alternative" is far less desirable than the single roadway access. (181.4)

Response. This comment is consistent with the RDEIR conclusion related to the preferred access design as stated on RDEIR page 489.

Environmental Point O.25. (Historical correctness of south gate.) The proposed south gate entrance to the Dunsmuir House and Garden is not historically correct as a main gate. (181.5)

Response. See response to Environmental Point C.21.

Environmental Point O.26. (Golf Links Road access only.) The project should be redesigned without the single access up the hill but should connect to Golf Links Road. (189.4)

Response. See response to Environmental Point F.51.

Environmental Point O.27. (Status of access proposals.) Are the access proposals alternatives or mitigations? (190.1)

Response. See response to Environmental Point O.4.

Environmental Point O.28. (Fire adequacy of split access road/pedestrian friendliness of circulation system.) Is the split access road wide enough to meet Fire Department and OCP requirements? Is the circulation system pedestrian friendly or does it promote additional auto dependence? (190.42)

Response. As stated on RDEIR page 229, neither the inbound or outbound routes of the proposed dual access road would meet the Fire Department requirement of 20 feet of working clear area. The Oakland Office of Public Works does not consider this a significant impact as emergency vehicles could still get by unless a number of vehicles were parked continuously along a long section of the route. However, the RDEIR does recommend on page 263 that this road be redesigned to meet road gradient requirements and to provide a minimum of 28 feet of continuous clearance width.

The location of the project on top of a hill makes pedestrian access to the site difficult. However, as noted on RDEIR page 231, the proposed access road would include a sidewalk on one side of the street.

Environmental Point O.29. (Adequacy of roadway on Figure 18.) Does the roadway on Figure 18 meet city standards? What are the impacts on emergency services? Won't road designed for 15-25 mph slow emergency response times? (190.43)

Response. As described on RDEIR page 229 (and in response to Environmental Point O.24) the hillside access road does not meet width or gradient standards. As

stated on RDEIR page 231, the remainder of the project's internal road system meet City width, gradient, and radii standards. The project roadways would be required to be designed to City standards. It is not appropriate to design residential projects solely to accommodate speeding emergency vehicles, but rather to best serve residential land use.

Environmental Point O.30. (Misleading description of alternatives impacts.) To describe the three access alternatives as not introducing additional significant adverse environmental impacts is misleading. (190.45)

Response. In response to this comment, the RDEIR has been revised on page 263 to clarify that the alternatives would also result in adverse environmental impacts.

Environmental Point O.31. (Alternative access design seismic survival rates.) What is the record of crib wall and bridge survival in earthquakes and landslides? Please evaluate access alternatives with respect to erosion control and landslide stability. (190.53)

Response. Both the crib wall and bridge wall alternatives can be designed to adequately withstand anticipated seismic events. The RDEIR provides comparative analysis of the project access alternative designs are described on pages 482 through 489. This evaluation concentrates on roadway gradients, total acres disturbed, total grading volume, and tree removal.

Each alternative could reduce erosion impacts to less than significant levels through implementation of the mitigation for erosion control described on RDEIR pages 332 and 333. Because none of the alternatives crosses any major landslide areas, all alternatives contain relatively similar levels of potential impacts due to landslides. Slope stability impacts of all the proposed access alternative could be reduced to less than significant levels through implementation of the mitigation measures described on RDEIR pages 311 through 313.

Environmental Point O.32. (Golf Links Road widening without project.) If the City is prepared to widen Golf Links Road in support of the project, why hasn't it been improved in support of existing residents? (196.3)

Response. The City does not intend to widen Golf Links Road in support of the project. See also, response to Environmental Point F.18.

Environmental Point O.33. (Steepness of access road.) The proposed Dunsmuir Heights access road is long and steep compared with other access roads in the area. (210.1)

Response. See response to Environmental Point F.67.

Environmental Point O.34. (Steepness of access road.) The original planned Dunsmuir Heights access road is long and steep compared with other access roads in the area. (211.1)

Response. See response to Environmental Point F.67.

Environmental Point O.35. (Traffic impact on San Leandro of connection to Golf Links Road.) The EIR should discuss the effect on traffic volumes in San Leandro of the alternatives which provide a through-access connection to Golf Links Road. (54.B.12)

Response. The impacts of the Golf Links Road connection on existing local roadways is described on RDEIR pages 495 through 498, and is summarized in Table 39.

Environmental Point O.36. (Geotechnical constraints of access design with crib walls.) The recommended single access roadway with crib walls mitigation has significant adverse impacts. How will this proposal fare given the landslide history of the area, the existence of fault creep and the fact that the road would be crossed by the Hayward fault? (93.56)

Response. CEQA Guidelines Section 15126 describes "mitigation" as measures which minimize significant adverse impacts. The recommendation of the three alternative access road designs described in the RDEIR on pages 483 through 489 are alternative mitigations. The geotechnical related impacts of the alternatives would be similar to those of the primary access proposal except that each alternative may require different amounts of grading and would result in varying amounts of total acres disturbed (see RDEIR Table 38). The recommended mitigation for the potential fault rupture of

access road (e.g., provision of emergency access to Golf Links Road) would also apply to the single road with crib walls access road design alternative.

Environmental Point O.37. (Seismic constraints of access alternatives.) Will the various alternatives of access roads have different earthquake survival possibilities? (222.16)

Response. All proposed alternatives would be designed to meet earthquake standards. Mitigation for potential damage to any of the alternative access road designs by earthquake would be provided by an alternative access route connecting to Golf Links Road.

Environmental Point O.38. (Cranford Way connection.) The RDEIR erroneously assumes that the proposed access connection to Cranford Way would not become a thoroughfare. (317.3)

Response. See response to Environmental Point F.25, paragraph two.

Environmental Point O.39. (Pedestrian/bicycle access.) The RDEIR calls for a pedestrian/bike access through the golf course. This could be incorporated with through or emergency-only connection to Golf Links Road. (321.1)

Response. This comment is consistent with information provided in the RDEIR on pages 395 and 490.

Environmental Point O.40. (Users of bike path.) What other uses would the pedestrian/bicycle access through the golf course have? (321.2)

Response. The recommended bike/pedestrian path would be used as a bike/pedestrian path. This access could be designed and constructed with widths which prevent use of this path by automobiles. Automobile access could also be restricted through the use of balustrades.

Environmental Point O.41. (Access and egress.) Access and egress are not sufficiently addressed by the EIR. Emergency vehicle access is too steep. Egress points are too close together. (338.2)

Response. Project access issues are thoroughly addressed in Chapter IV.C., pages 226 through 231 and 263 through 264, and in Chapter V of the RDEIR, pages 471 through 498. The proposed emergency access would connect project roads to Cranford Way, an existing roadway. The gradient of RDEIR recommended emergency access road through the golf course is specifically addressed on page 491 and is not considered to be excessive.

On page 231, the RDEIR concludes that a second emergency access is necessary. The proposed project primary access and the recommended emergency access through the golf course are on opposite ends of the project site. These two access roads are not too close together.

Environmental Point O.42. (Impacts of horseshoe route on golf course.) The proposed horseshoe roadway route through the golf course would have dramatic negative impacts on the golf course. The golf course should be preserved as it is now. (342.3)

Response. The RDEIR acknowledges and lists several significant adverse impacts of a project roadway through the golf course on pages 491 and 492. Recommendations to offset these impacts are listed on RDEIR page 495, paragraph one.

Environmental Point O.43. (Number of lanes of project access.) How many lanes will the project access road have? What will the lane configuration be? (349.1)

Response. The RDEIR proposed access road is described on pages 102 through 105, and on pages 471 through 473. Recommended access road alternative designs are described on RDEIR pages 482 through 489.

Environmental Point O.44. (Adequacy of Revere Avenue as emergency route.) Revere Avenue is too narrow to be an adequate emergency route. This route would be subject to the same fault rupture as the primary access road. (354.1)

Response. As stated on page 231, one emergency access road would not be sufficient to serve the project. The RDEIR recommends that a second emergency access through the golf course be added to the project. This emergency route would not have the width constraints (due to onstreet parking) and fault rupture drawbacks associated with a Cranford Way/Revere Avenue emergency route.

P. COMMENTS ON RDEIR SECTION VI: ALTERNATIVES TO THE PROPOSED PROJECT

Environmental Point P.1. (No project alternative: basic project objective.) The no project alternative would not achieve the basic objective of the project. (167.82)

Response. While this point is accurate, the no project alternative must be included in the EIR because it is required by CEQA. Section 15126(d)(2) of the CEQA Guidelines requires that *"The specific alternative of no project shall also be evaluated."*

Environmental Point P.2. (No project alternative: natural factors.) The no project section of the EIR should be expanded to include additional information regarding natural factors so that the decision-maker is presented with a balanced analysis. (189.13)

Response. The discussion of the no project alternative in the EIR is adequate. Page 503 of the RDEIR states that the no project alternative would *" . . . retain the site's current undeveloped, open space characteristics . . . It would also preserve the vegetative and wildlife habitat values of the site's 132 acres including the oak woodland, perennial grassland, and riparian values identified in this EIR, as well as the overall value of the undeveloped site as a wildlife foraging area."*

Environmental Point P.3. (No project alternative: Measure K.) The no project alternative fails to state that Measure K designated funding to buy Dunsmuir Ridge from its present owners. The RDEIR does not include enough discussion of Measure K under the no project alternative. The discussion of Measure K should be expanded in the EIR; this is the most important fiscal issue and it has been downplayed. (170.3, 197.14, 205.9, 228.17, 228.20, 235.3, 343.1, 346.3, 346.4)

Response. The no project alternative has been expanded to include a variation on the no project alternative entitled "open space acquisition." Page 503 of the RDEIR has been revised to include this alternative which focuses on the effects of acquisition of the site for permanent open space with Measure K funds.

Environmental Point P.4. (Alternative B acceptance.) The project sponsor agrees with Alternative B except for the public road connection to Golf Links Road. If the through connection to Golf Links Road is a public street, the costs of maintenance of this collector would negatively impact the benefit to municipal finances. (167.83)

Response. As discussed in the fiscal impacts section of the RDEIR, while the revenues to the city would decrease under this alternative since the street maintenance costs would be higher, the difference is not substantial (The net increase in revenue resulting from this alternative would be approximately \$14,500 less annually than the net increase in revenue resulting from the proposed project; see RDEIR Table 31.)

Environmental Point P.5. (Alternative C golf course impacts.) This comment expresses concern regarding the impacts of this alternative on the golf course, and requests that greater emphasis be placed on these impacts. (22.2, 167.84)

Response. Pages 507 and 508 of the RDEIR adequately describe the adverse impacts of this alternative on the golf course.

Environmental Point P.6. (Alternative D analysis vague; fiscal affects of alternatives D and E.) This comment states that the analysis of this alternative is too vague and that it should assess the cut and fill impacts and the fiscal impact. Concern was expressed regarding the fiscal impacts of alternatives D and E. (167.85)

Response. The RDEIR description of the mitigating effects and adverse impacts associated with this alternative is adequate in meeting CEQA requirements. If the applicant wishes to provide an analysis of the cut-and-fill and fiscal impacts for decision makers the applicant is free to do so. However, such analyses are not required for the EIR.

Environmental Point P.7. (Alternative E access road.) The alternative alignment for the entry road calling for it to be more direct and steeper would create a dangerous road that is not consistent with good engineering practices. (167.E.3)

Response. These adverse impacts are discussed on page 510 of the RDEIR.

Environmental Point P.8. (Alternative F: economic infeasibility; basic project objectives.)

This comment states that this alternative would be economically infeasible and it would not meet the basic purpose of the project. This comment also includes a request for a fiscal impact analysis of this alternative. (167.86)

Response. Alternative F meets the basic project objectives. These basic project objectives, as set forth on page 84 of the RDEIR are as follows:

. . . to construct an attached and detached residential development that: (a) responds to the characteristics of demand for additional housing in Oakland by providing a variety of housing types, sizes, and prices to attract buyers of varying incomes; (b) accommodates this market range through creation of a distinct planned community of intermixed housing types served by a private system of roads, centrally located recreational facilities, and permanent open space; (c) is of sufficient size to make such an economic mix financially viable; (d) provides special amenities (such as views, attractive topographic features, and recreational facilities to distinguish the community and attract buyers); and (e) is located on a site that has adequate infrastructure potential and is within close proximity to a major transportation route.

If the applicant wishes to provide a detailed analysis to demonstrate to City decision-makers that this alternative is not economically feasible, the applicant would be free to do so in subsequent phases of development review. However, such an analysis is not required for the EIR.

Environmental Point P.9. (Alternative G fiscal impacts.) This alternative would further exacerbate all of the comments stated in Environmental Point P.6 regarding Alternative D. (167.87)

Response. Please refer to the response to Environmental Point P.6.

Environmental Point P.10. (Quarry site alternative infeasible.) Based on the California Supreme Court decision in Citizens of Goleta Valley v. Board of Supervisors (91 Daily

Journal D.A.R. December 31, 1990), this site cannot be considered as a feasible alternative since the project sponsor does not own or control this site.

Additionally, this alternative site would void the basic objective of the project sponsor, Hayward Exchange, Inc., to construct an attached and detached residential development that: "(a) responds to the characteristics of demand for additional housing in Oakland by providing a variety of housing types, sizes and prices to attract buyers of varying incomes; and (b) is of sufficient size to make such an economic mix financial viable." This reduced project size would: "(a) provide fewer houses to meet the ABAG goals; (b) could contribute to more air pollution due to the location of this housing farther away from jobs" (see pg 459, last paragraph); (c) "could cause more area energy consumption due to the location of this housing farther away from jobs" (see page 466, last sentence). The fiscal benefits to Oakland would not occur since the site is in San Leandro. Many improvements funded by the project would not be constructed (Foothill Way/Peralta Oaks Drive extension, Dunsmuir House and Gardens improvements, May Reservoir water main extension, etc.) (167.88)

Response. In Citizens of Goleta v. Board of Supervisors of Santa Barbara the court stated that an EIR need only consider reasonably feasible alternatives. The court identified circumstances where project alternatives are reasonable and should be analyzed. This included sites where the developer owns or controls the alternative sites, has the ability to purchase or lease them, has access to them, or is competing with other developers seeking approval for the same development in different locations. Page 515 of the RDEIR has been revised to incorporate this information.

Section 15126(d) of the CEQA Guidelines states that an EIR should *"Describe a range of reasonable alternatives to the project, or to the location of the project which could feasibly attain the basic objectives of the project."* The basic project objectives, as identified on page 84 of the RDEIR, are as follows:

...to construct an attached and detached residential development that:
(a) responds to the characteristics of demand for additional housing in Oakland by providing a variety of housing types, sizes and prices to attract buyers of varying incomes; (b) accommodates this market range through creation of a distinct planned community of intermixed housing types served by a private system of

roads, centrally located recreational facilities, and permanent open space; (c) is of sufficient size to make such an economic mix financial viable; (d) provides special amenities (such as views, attractive topographic features, and recreational facilities to distinguish the community and attract buyers); and (e) is located on a site that has adequate infrastructure potential and is within close proximity to a major transportation route.

While the commenter states that this alternative site would not meet (a) and (b) discussed above, no compelling reasons are put forth to support the argument. Therefore, the EIR has not been revised in response to this additional comment.

Environmental Point P.11. (The Quarry, Fairmont Hills, Roberts Landing, and Marina High School sites infeasible.) Based on the California Supreme Court decision in Citizens of Goleta Valley v. Board of Supervisors, this site cannot be considered as a feasible alternative since the project sponsor does not own or control this site and because the City of Oakland lacks any permitting authority over this site. The fiscal benefits to Oakland would not occur since the site is in San Leandro. Many improvements funded by the project would not be constructed (Foothill Way/Peralta Oaks Drive extension, Dunsmuir House and Gardens improvements, May Reservoir water main extension, etc.) (167.89, 167.90, 167.91)

Response. See response to Environmental Point P.10 above. An alternative site cannot be considered infeasible just because Oakland lacks permitting authority over such a site.

Environmental Point P.12. (No positive alternative.) It is a criminal act under CEQA that no positive alternative is included in the RDEIR. The RDEIR is inadequate. (193.1)

Response. CEQA section 15126(d)(2) requires identification of the "environmentally superior alternative," and if the environmentally superior alternative is the no project alternative, the section calls for identification of the environmentally superior alternative other than the no project alternative. RDEIR pages 525 through 527 include an "environmental ranking of alternatives" discussion specifically formulated to meet this CEQA requirement. The EIR consultants are unaware of any local, state, or federal

law that indicates that the omission of a "positive alternative" is a "criminal act." The RDEIR is not inadequate in this regard.

Environmental Point P.13. (Environmental ranking of alternatives.) The section on environmental ranking is given short shrift in this EIR. (96.6, 322.6.)

Response. CEQA Guidelines section 15126(d)(2) requires that an EIR identify an environmentally superior alternative among the other alternatives. The ranking of all alternatives on RDEIR page 525 actually exceeds this requirement.

Environmental Point P.14. (Alternative PUD plan.) An alternative should be prepared using city PUD provisions. (98.2.)

Response. As explained on RDEIR pages 116 and 117, the project sponsor intends to implement this project under the city's Planned Unit Development (PUD) provision. Any of the alternatives addressed in Chapter VI could also be implemented under the PUD provisions. No additional alternative using this provision is necessary.

Environmental Point P.15. (Plan to avoid tree removal.) A plan to avoid removal of mature oak woodland trees should be required because the proposed replacement will take years. (341.3)

Response. The alternatives section of the RDEIR includes alternatives to the proposed project that would reduce or avoid removal of mature oak woodland trees. The no project alternative discussed on page 503 of the RDEIR and the alternative sites discussed on pages 515 through 525 would preserve all mature oak woodlands onsite. Alternatives C, D, E, F, and G discussed on pages 506 through 515 would reduce oak woodland removal onsite. Alternatives C, D, E, F, and G include a single roadway access. As shown in Table 38 on page 485 of the RDEIR, a single roadway access with cribwalls would result in the removal of 20 percent of the mature trees onsite compared with the proposed dual access which would result in the removal of 36 percent of the trees.

Environmental Point P.16. (Residential rehabilitation alternative.) As an alternative to the project, the applicant should rehabilitate 507 boarded up vacant homes in Oakland within miles of the project site. (324.2)

Response. An alternative of purchasing and rehabilitating 507 vacant units was not examined in the RDEIR and has not been added to the Final EIR because it would not meet the basic objectives of the project as stated on page 84 of the RDEIR. See the response to Environmental Point P.8 above. Further, Section 15126(d) of the CEQA Guidelines states that an EIR should *"Describe a range of reasonable alternatives to the project, or to the location of the project which could feasibly attain the basic objectives of the project."*

Environmental Point P.17. (Alternative site analysis requirement; Goleta II.) Legal Foundation newsletter, January 10, 1991, entitled "California Supreme Court Strikes Careful Balance in Major Growth Control and Environmental Decisions," with aspects pertaining to the analysis of alternative sites (the so-called Goleta case), submitted for consideration by applicant. (167.I.0)

Response. The EIR consultants considered this legal development, commonly referred to as Goleta II. Because significant unavoidable impacts have been identified in the Dunsmuir EIR, an evaluation of alternative site possibilities remains necessary under common interpretation of this latest court ruling.

**Q. COMMENTS ON RDEIR SECTION VII: CEQA-REQUIRED ASSESSMENT
CONSIDERATIONS**

No comments on this RDEIR section were received.

R. COMMENTS ON RDEIR SECTION VIII: MITIGATION MONITORING

Environmental Point R.1. (Mitigation monitoring.) The mitigation monitoring section should be more detailed. (167.92, 167.D.3, 167.D.4)

Response. RDEIR chapter VIII, Mitigation Monitoring, describes the state mitigation monitoring requirement and suggests a methodology for completion of a mitigation monitoring program. It is not necessary to complete the program until it is determined whether the project is to be approved and under what conditions. Greater detail may be useful in formulation of the final project mitigation monitoring program, however, such a finalized program is not required within an EIR.

**S. COMMENTS ON RDEIR SECTION IX: ORGANIZATIONS AND PERSONS
CONTACTED**

No comments on this RDEIR section were received.

T. MISCELLANEOUS COMMENTS ON THE RDEIR

Environmental Point T.1. (Mitigations infeasible.) The RDEIR fails to offer sufficient, acceptable mitigations. It is not possible to mitigate many of these problems. There are doubts that those few mitigations presented will be enforced. As a result, the project will be detrimental to the surrounding area and the City. (14.1, 198.11, 308.1)

Response. All mitigation measures recommended in the RDEIR are considered to be appropriate, reasonable, and feasible. Those mitigations accepted by the City will become conditions of project approval. If compliance is not demonstrated at the specified time, the project will be subject to City zoning abatement and related cease and desist actions. The RDEIR clearly and adequately indicates the anticipated degree of effectiveness for each mitigation measure. Where it has been determined that a particular impact cannot be reduced to less than significant levels with the identified mitigation measure, that impact is described in the RDEIR as unavoidable.

Environmental Point T.2. (Mitigation responsibility.) Many mitigations are identified which are not the responsibility of the project applicant. While it is customary for a City to implement certain mitigations (roadway construction), a DEIR normally indicates that this is part of the project and will be implemented as part of the project. The DEIR does not follow this practice. It indicates that several mitigations are the responsibility of some other agency, and shows no project responsibility for ensuring that the measure will be implemented. Also, since the project does not implement the proposed mitigation, the DEIR does not indicate (as it should) what happens if the mitigation is not implemented by the agency. Given the high costs of some of the mitigations, it is unclear how such mitigations can be implemented. It is misleading to incorporate mitigations that are not likely to be implemented. This becomes particularly problematic in creating an effective monitoring program. At a minimum, some estimate by the City of Oakland or the City of San Leandro as to whether and/or when a mitigation measure may be implemented is required. (78.12, 78.13)

Response. A DEIR does not normally indicate that certain mitigations are part of the project, as the comment suggests. The project and all related actions proposed by the project sponsor in the project application are correctly described in the RDEIR as part

of the Project Description (section III). Any additional measures which are identified in the Setting/Impacts/Mitigation section of the RDEIR (section IV) to mitigate identified project impacts have been identified subsequent to the project PUD Permit application, are not included in the original application, and consequently are also not included in the Project Description. (This rule applies regardless of whether these subsequent mitigation measures have been suggested by the project sponsor or the EIR author.)

City mitigation measures which are directly and exclusively caused by the project, but which, by their nature, must be implemented by the City at project sponsor expense (offsite roadway improvements, etc.), are correctly and appropriately identified in the RDEIR as "Project" mitigation responsibilities (e.g., see RDEIR summary page 26). Mitigation measures which will be necessary to adequately accommodate the project, but also address existing city infrastructure deficiencies, are identified in the RDEIR as Project and City fair share responsibilities. In this case, the City has the option of either requiring the project sponsor to take full responsibility for the cost of the existing deficiency, or to share in the cost with the applicant. This would be a negotiable aspect in developing the conditions of project approval (e.g., see RDEIR Summary page 26). Similarly, where the project is a partial contribution to a projected future cumulative impact, the mitigation is described in the RDEIR as responsibility shared by the Project and other cumulative projects (e.g., see Summary page 30). In this case, the City has the option of requiring that the mitigation be completed prior to commencement of a particular project phase. If the project sponsor wishes to proceed with the project under this circumstance, and there is no immediate prospect of participation in the cost by other anticipated development projects, the project could be required to "front" the cost of the cumulative impact mitigation need, perhaps under standard City reimbursement agreement arrangements that would provide for future reimbursement to the project sponsor by future developments benefitting from the improvement.

If an identified mitigation need is not implemented, a significant environmental impact can be anticipated. Mitigation requirements accepted by the City will be incorporated as conditions of project approval. If the measures are not adequately carried out at the specified time, the project would be subject to City zoning abatement and cease and desist actions.

No mitigation measures have been identified in the RDEIR which are not likely to be implemented. All identified mitigation measures are considered appropriate, reasonable, and feasible. The RDEIR is certainly not "misleading" in this regard.

A Mitigation Monitoring Program, as required by AB 3180 (Section 21081.6 of the State Public Resources Code), would be prepared if the EIR is certified and the PUD Permit application Preliminary Development Plan is approved. For each mitigation measure ultimately required as a condition of project approval, the Mitigation Monitoring Program must stipulate the who, what, when, and where aspects of implementation.

Environmental Point T.3. (Mitigation enforcement.) RDEIR Table 4 lists many approvals by many agencies which are required in order for the project to proceed. Must all these agencies give their prior approval before the project can commence? Who would enforce this requirement? One would presume that all of these approvals must be completed before the City Council will approve the project. The RDEIR should state this strongly and as mandatory. (98.35)

Response. All required "Responsible Agency" approvals must be demonstrated prior to approval of the Final Map, with the exception of those Responsible Agency approvals which require an approved Final Map before they can be issued. In these particular cases, contingent approvals would be necessary. If the project as proposed is unable to receive approval from a particular responsible agency, that aspect of the project which is subject to such approval would have to be modified to the extent necessary to achieve the approval before the project could proceed.

Environmental Point T.4. (Typographical errors.) The project sponsor has submitted a list of RDEIR editing suggestions and typographical errors. (27.0)

Response. Where appropriate, changes have been made to the RDEIR text to correct nonsubstantive grammatical and typographical errors.

Environmental Point T.5. (San Leandro support for mitigations.) The City of San Leandro City Planner states that the city supports the mitigation measures listed in the RDEIR

Summary Table on pages 211-212 and in particular, the combination of measures on page 212 which would reduce the visual impacts on the City of San Leandro to less than significant levels. (54.A.3, 315.2)

Response. Comment noted.

Environmental Point T.6. (Support for EIR certification.) The Dunsmuir Heights EIR has come a long way. It is a much improved document and deserves certification. The City should be congratulated on its work with the document and it should be certified soon. If nothing more is done on Dunsmuir Heights, the EIR should be certified, so the General Plan Amendment to eliminate the unnecessary collector street can be passed. City staff has put a lot of time and energy into the EIR; let's get something back in return. A lot has been done to improve the study. Basically support certification. I have reviewed the entire RDEIR and found it to be a complete and well-presented document relative to my area of expertise, economic analysis. Supports the general findings of the RDEIR regarding the regional need for housing and the government revenue effects of the project. (20.1, 22.1, 32.0, 67.1, 83.2, 113.1, 167.G.1, 310.1)

Response. Comments noted.

Environmental Point T.7. (Mitigation responsibilities.) The RDEIR includes mitigation measures that are not the responsibility of the applicant. It indicates that several mitigations are the responsibility of some other agency, and shows no project responsibility for ensuring the mitigation is actually implemented. Moreover, since the project does not implement the proposed mitigation, the DEIR does not indicate (as it should) what happens if the mitigation is not implemented by the agency.

While CEQA does not indicate that mitigations must be feasible, it is, at best, misleading to incorporate impractical mitigations which are not likely to be implemented. Given the high costs of some of the mitigations, it is unclear how such mitigations can be implemented. This becomes particularly problematic in creating an effective monitoring program (as required by State law). Some of the non-project mitigations include:

- Improvements to intersections where the project applicant is only required to "contribute a fair share" (see summary table, page 27). If that fair share is not sufficient to

implement the mitigation, then the project's impacts will be significant and unmitigated. The DEIR is misleading and inadequate if it does not evaluate the proportion the project may pay, and the potential for the mitigation to be actually implemented. At minimum, some estimate by the City of Oakland and San Leandro as to whether and/or when the implementation measure may be implemented is required.

- Provision of crossing guards. Is the project expected to provide these guards? It is not indicated. If they are not provided, is the impact significant?
- Changing the attendance boundaries or rules of attendance (or operate schools on a year round basis). It is unclear whether the District was contacted regarding the feasibility of this mitigation.
- Add firefighters and policemen. It is unclear how this proposal can be implemented in a City with a serious budget problem.
- Rerouting transit service (this is incorrectly identified as the responsibility of the City and should be identified as the responsibility of AC Transit). It is unclear whether AC Transit was contacted regarding this proposal. Similarly, the concept of a park-and-ride lot at the Dunsmuir House does not seem to have been explored. (78.12, 78.13, 78.14, 78.15, 78.16, 78.17, 303.1)

Response. These comments are primarily related to mitigation monitoring. The comment states that the RDEIR shows no project responsibility for ensuring that mitigation measures that are the responsibility of some other agency are actually implemented. As described on page 541 of the RDEIR, *"A project-specific monitoring program would be required by the city for implementation subsequent to EIR certification...To satisfy CEQA section 21081.6, a documented record of [mitigation] implementation is necessary."*

This comment questions the ability of some of the mitigations to be implemented. Five examples are given. The first example concerns improvements to intersections where the applicant only contributes a "fair share." Please refer to the response to Environmental Point F.66. The four additional examples are addressed in the responses to the following Environmental Points: F.68, J.53, J.108, and F.16. Please also see response to Environmental Point T.2.

Environmental Point T.8. (Opportunity to vote no on project.) The City's decision on this RDEIR represents an opportunity to vote against the project. (331.2)

Response. The comment reflects a misunderstanding of CEQA and the City's environmental review process. The City's consideration and decision regarding EIR adequacy has no direct relationship to its position regarding the project itself. Certification of the EIR in no way constitutes project approval. The City must have a certified EIR in order to consider and make subsequent decisions for or against the project. To vote against EIR certification as a means of denying project approval would be contrary to the intent of CEQA.

Environmental Point T.9. (RDEIR superficial.) There are overwhelming reasons why the project and the superficial RDEIR should be considered totally unacceptable. (174.4, 350.1, 353.1)

Response. The RDEIR, in combination with the response to comments provided in this Final EIR document, represents a detailed, full disclosure environmental document that fully complies with CEQA and City of Oakland EIR guidelines for describing and analyzing the significant environmental effects of the proposed Dunsmuir Heights project and for discussing ways to avoid or effectively reduce identified adverse effects.

Environmental Point T.10. (Deficient RDEIR; remaining inadequacies, contradictions.) The RDEIR is greatly improved from the last DEIR. It is obvious that the City and EIR consultant took many public comments into consideration in the RDEIR. However, there remain many inadequacies, inconsistencies, and inaccuracies. And there remain critical factors that cannot be mitigated. The RDEIR remains deficient in terms of traffic, schools, and other facilities. Reject the RDEIR. Contradictions in the document still exist. (196.1, 196.7, 331.1, 355.2)

Response. All comments submitted regarding the adequacy of the RDEIR have been responded to in this response to comments document. Where the EIR consultants disagree with a comment, the reasons for disagreement are given. Where a comment warrants revision to the RDEIR, such revision has been made and referenced in the

response to comments. The EIR consultants and City staff believe that this Final EIR, which incorporates the RDEIR and the responses to all substantive environmental points raised in the public review period for the RDEIR, contains no substantive remaining inadequacies, inconsistencies, contradictions, or inaccuracies. Any significant adverse environmental impacts which cannot be feasibly mitigated to less than significant levels have been so identified in the RDEIR, and as called for by CEQA guidelines, have been categorized as "significant" unavoidable adverse environmental impacts of the project.

Environmental Point T.11. (Mitigation of Dunsmuir Ridge impact.) Nothing stated in the RDEIR sufficiently mitigates permanent destruction of Dunsmuir Ridge. As stated on RDEIR page 525, the environmentally superior alternative is the "no project." Even Alternative G, the "substantially reduced residential area with single-family detached housing types only, through access, a redesigned hillside access road, and other mitigations--175 units" does not solve the problems and impacts caused by development on the site. (196.2)

Response. The RDEIR describes mitigations that will mitigate most impacts of the site on the visual character and natural values of Dunsmuir Ridge to insignificant levels. However, as also noted in the RDEIR, any development of this particular site will result in a significant, unavoidable open space loss, would preclude future acquisition of that portion of the site as permanent open space. Also if the OCP Trafficways Map designation of a through collector street connection between Foothill Way and Golf Links Road is implemented with this project, the visual impacts of such a hillside route, although compatible with substantially reduced through measures described in the RDEIR, would nevertheless remain significant and unavoidable. Similarly the project impacts on onsite natural habitat values, although capable of being substantially reduced through the measures described in the RDEIR, would nevertheless remain significant and unavoidable, if the basic project objectives are to be met to a reasonable degree. The fact that there are unavoidable impacts does not make an EIR inadequate, provided that the document adequately discloses these unavoidable impacts.

Environmental Point T.12. (The extent of changes raises credibility questions.) The extent of changes between the DEIR and RDEIR raises serious credibility questions about

these documents. (It is difficult to determine what information about this project to believe since it changes so significantly.) (198.1, 198.12, 330.7)

Response. Substantive additional information was warranted to adequately respond to all comments received by the City during the 1988-1989 DEIR public review period, and therefore, these changes were circulated in the 1991 RDEIR. With this second round of public review, the 1991 Revised Draft EIR fully supersedes the original 1988-1989 Draft EIR. The original Draft EIR information is no longer pertinent to consideration of the project and should not be used. Through the process of public review of the original draft environmental document (DEIR) and the revised environmental draft document (RDEIR), the intent of CEQA has been met; i.e.: (1) to adequately disclose all significant project-related issues, concerns, and areas of controversy, including those originally identified in response to the City's Notice of Preparation, and those added in response to comments received in the Draft EIR; (2) to adequately describe and analyze the environmental effects of the project, with emphasis on known issues, and concerns and areas of controversy; and (3) to adequately discuss ways to mitigate or avoid these effects (see CEQA Guidelines Section 15362).

Environmental Point T.13. (Mitigations vague.) The vagueness of many of the mitigations and the rather cursory analysis of their environmental impacts makes it questionable whether the RDEIR provides an appropriate basis for the City to adopt many of the measures. (199.2)

Response. The mitigation descriptions in the RDEIR are appropriate and adequate in terms of specificity, purpose, and anticipated mitigating effect. Regarding description of the significant adverse effects of a mitigation measure in addition to those that would be caused by the project as proposed, CEQA Section 15726(2) states that "the effects of the mitigation measure shall be discussed but in less detail than the significant effects of the project as proposed. (Stevens v. City of Glendale, 125 Cal.App.3d 986.)" In light of these considerations, the RDEIR provides an appropriate and adequate basis for the City to adopt the identified mitigation measures.

Environmental Point T.14. (RDEIR does not meet CEQA requirements.) The primary purpose of CEQA in requiring EIRs is to inform both public and decision-makers of the environmental impacts of the proposed action. The RDEIR falls short of meeting this general requirement and a number of specific CEQA requirements for EIR content. These inadequacies include omissions of significant aspects of the environmental setting, and reliance on obsolete and incomplete data for some of the impact analysis. (187.4, 205.1)

Response. All substantive comments made by regarding the adequacy of the RDEIR have been responded to with either an explanation as to why the environmental point is not accepted, or if the point is acknowledged, citing any associated revisions or refinements which have been made to the RDEIR in response to the comment. Regarding the general adequacy of the RDEIR content, please see responses to Environmental Point T.9.

Environmental Point T.15. (Del Monte property in San Leandro not considered.) The RDEIR fails to include the recently approved Pacific Union housing project on the former Del Monte property in San Leandro. (205.8)

Response. The traffic analysis, as explained on RDEIR page 256, includes consideration of the cumulative impacts of a recent projection by the City of San Leandro of "cumulative traffic conditions throughout its planning area at buildout; i.e., at full development of all major undeveloped or underused parcels in the city's planning area." The projections are excerpted from the City of San Leandro Master Plan of City Streets. RDEIR Table 20 lists "the anticipated effects of these San Leandro buildout traffic projections on LOS classifications at the six key San Leandro intersections in the project vicinity including four of the key study intersections nearest the project. This analysis includes the Del Monte property.

Environmental Point T.16. (Need for supplemental EIR.) Many of the proposed mitigations would require significant changes in the currently proposed project, including several mitigations which require a major reduction in size. If these mitigations are accepted, the redesigned project would have significantly different impacts which should be evaluated. While some of the alternatives are evaluated in the DEIR, it is virtually impossible to connect the proposed mitigations with the proposed alternative. The menu of

possible mitigation options is so large and complete as to make it impossible for intelligent assessment by the public of the actual, probable impacts of the approved project. CEQA requires (Section 15121(a)) that an EIR be an informational document which can be used to assess impacts and mitigations of a project. A supplemental DEIR or, at minimum, an addendum to the current DEIR is necessary if significant modifications to the project are accepted as mitigations for its impacts. (78.10, 93.52, 93.58)

Response. If the mitigation measures identified in the EIR were adopted by the City as project conditions of approval, the impacts of the project would be reduced. The statement in this Environmental Point that "...the redesigned project would have significantly different impacts which should be evaluated" and that a supplemental EIR or addendum is necessary is misleading because it implies that implementation of the mitigation measures would result in a project with new adverse environmental impacts that have not been disclosed.

Section 15126(a)(1) of the CEQA Guidelines only require a supplemental EIR if *"Subsequent changes are proposed in the project which will require important revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental impacts and considered in a previous EIR or Negative Declaration."* Implementation of the mitigation measures identified in the RDEIR would not result in *"...subsequent changes...in the project"* involving *"new significant environmental impacts not considered"* in the RDEIR.

As stated in section 15164(a)(2), an addendum to the RDEIR would only be needed in this case if *"...minor technical changes or additions are necessary to make the EIR under consideration adequate under CEQA."* The impacts that would be reduced by the mitigation measures are clearly linked with the impacts. For example, page 302 of the RDEIR describes the impacts of earthquake fault rupture on the primary access road. Page 309 of the RDEIR describes the mitigation measure that would reduce this impact to a less than significant level.

Where there is more than one mitigation measure the RDEIR makes clear whether only one or all of the mitigations are necessary to reduce the impact to a less than significant level. (See, for example, page 393 of the RDEIR which makes it explicitly

clear that "...one of the four following mitigation alternatives would be required to reduce project impacts on elementary school enrollment (K-6) to a less than significant level.")

Each section of Chapter IV of the RDEIR describes specific impacts of the proposed project and recommends association mitigations. Alternatives to the project are discussed in a separate chapter (i.e., Chapter VI). Some of these alternatives include measures which were previously proposed as mitigations as part of the project description. The RDEIR does not include every mitigation proposed to offset project impacts in the alternatives. As required by Section 15126(d) of the CEQA Guidelines, the RDEIR describes a range of reasonable alternatives to the project and evaluates the comparative merits of these alternatives.

Environmental Point T.17. (Impacts of mitigations.) Some mitigations themselves would have impacts which have not been fully evaluated in the RDEIR; e.g., the level of analysis of the Golf Links Road connection is insufficient to permit approval of that route as a secondary access road; also the visual and land use impacts of the soundwalls have not been evaluated. (78.11)

Response. There is sufficient analysis of the environmental impacts of a Golf Links Road connection as an additional permanent and a "secondary" or emergency-only access in the EIR to allow adequate environmental consideration prior to possible inclusion of this access alternative as a condition of project approval. Please see responses to similar comments F.18, F.51 (Golf-Links-Road-only alternative).

If the project also included an additional connection to Golf Links Road, the principal effect would be to divert existing Golf Links Road traffic through the project (Dunsmuir Heights Drive would provide a more direct east-west connection) and thus would reduce traffic volumes on Golf Links Road (see response to comment F.18). The impacts of a Golf-Links-Road-connection-only alternative was discussed on RDEIR page 207. In response to this Environmental Point, and to Environmental Points E.43 and F.51, additional discussion of this alternative has been added to section V of the EIR (see revised version of RDEIR page 498 in section II of this Final EIR). The visual (and land use) impacts of the proposed sound walls along the proposed Peralta

Oaks Drive-Foothill Way connection and along the lower segment of Dunsmuir Heights Drive, and associated mitigation needs, are adequately described on RDEIR pages 198 and 353. In addition, the mitigation currently described on page 353 (the Noise section) has also been reiterated on page 207 of the Visual Factors section in response to this comment (see revised versions of page 207 in section II of this Final EIR document). The secondary impacts of other mitigations recommended in the RDEIR, and associated additional mitigation needs where warranted, have also been adequately addressed.

Environmental Point T.18. (Impacts on San Leandro.) Oakland does not have schools or adequate fire protection service to serve the project and project residents. The project will have impacts on San Leandro city streets (e.g., Dutton Avenue) which are already over-taxed. The project will have long range costs associated with city services. (279.1).

Response. Project impacts on the San Leandro transportation system are adequately described throughout RDEIR section IV.C (pages 234 through 260 and 265 through 276). The fiscal impacts on San Leandro as a result of project-related increases in San Leandro traffic levels are described herein in response to Environmental Point J.109. Related secondary impacts on San Leandro police, fire, and emergency services are expected to be insignificant if the San Leandro roadway system mitigations identified in the RDEIR are implemented. The project will not have a significant impact on San Leandro schools, as explained in RDEIR section IV.G.5.

Environmental Point T.19. (Include comments in FEIR.) All the many comments expressed by the community should be included in the FEIR. (278.0)

Response. This Final EIR document includes responses to all substantive comments received on EIR adequacy during the RDEIR public review period. Where warranted, revisions have been made to the RDEIR as indicated.

VI. COMMENTS ON THE 1988-1989 DRAFT EIR

VI. COMMENTS ON THE 1988-1989 DRAFT EIR

A. RESPONSE TO COMMENTS RECEIVED ON THE DECEMBER 1988 DRAFT EIR AND FEBRUARY 1989 SUPPLEMENTAL DRAFT EIR

1. December 1988 Draft EIR

On December 23, 1988, the Draft Environmental Impact Report (DEIR) for the Dunsmuir Heights project was released by the City for public review. The 1988 DEIR addressed eight impact categories, including land use, visual factors, transportation, geotechnical factors, drainage, noise, municipal services, and vegetation and wildlife. The 1988 DEIR also included a section on alternatives to the proposed project, and a section consolidating the various EIR findings regarding project access and possible access alternatives.

2. February 1989 Supplemental Draft EIR

On February 28, 1989, a supplement to the Draft EIR (SDEIR) was released by the City for public review. The 1989 SDEIR addressed three additional impact categories: air quality, archaeological resources, and energy.

3. DEIR/SDEIR Public Review

The City's specified deadline for submitting comments on the adequacy of the 1988 DEIR was originally set at February 20, 1989 (60 days after DEIR release). With issuance of the SDEIR, the deadline for submitting comments on the adequacy of both the DEIR and SDEIR was extended to April 17, 1989 (48 days after SDEIR release and 116 days after DEIR release).

A public hearing was conducted to solicit public comment on the adequacy of the 1988 DEIR and 1989 SDEIR at two special evening meetings of the City Planning Commission held for that purpose: the first on March 15, 1989, at the John Marshall Elementary School

(3400 Malcolm Avenue), and the second on April 12, 1989, at the Henry J. Kaiser Convention Center, Calvin Simmons Theater (10th and Fallon Streets).

Verbatim copies of all written comments received by the City during the December 1988 to April 1989 DEIR/SDEIR public review period, as well as the DEIR public hearing transcript, are included in **Appendix B** to this Final EIR.

4. January 1991 Revised Draft EIR

On December 30, 1990, a January 1991 Revised Draft EIR was released for public review, incorporating changes made in response to public comments received on the December 1988 DEIR and February 1989 SDEIR. Because this Revised DEIR document contained significant new information, the City of Oakland determined pursuant to CEQA section 21092.1 that the January 1991 Revised Draft EIR (RDEIR) should supersede the December 1988 DEIR and February 1989 SDEIR, and that a new process of notification and public review should be completed for the RDEIR before certifying the Final Environmental Impact Report (FEIR).¹

The City therefore released the January 1991 Revised Draft EIR for a new process of public review in order to ensure that the RDEIR adequately responded to the significant environmental points raised regarding the December 1988 DEIR and February 1989 SDEIR. The City's specified deadline for submitting public comments on the adequacy of the January 1991 RDEIR was originally set for February 25, 1991, and was subsequently extended to March 5, 1991 (61 days after RDEIR release).

5. Final EIR

The CEQA-required public review period for an EIR of this nature is 45 days. The public was allowed a 61-day period to review the January 1991 Revised Draft EIR and identify any significant points raised in response to the December 1988 DEIR/February 1989 SDEIR which may not have been adequately responded to in the Revised Draft EIR. The January

¹Public Resources Code (CEQA) section 21092.1 requires that when "significant new information" has been added after a Draft EIR has been circulated, but before the Final EIR is certified, the process of notice and public review and comment must be repeated for the revised DEIR.

1991 Revised Draft EIR, together with the responses to comments on the Revised Draft EIR (Section II through V of this Final EIR), and the two appendices containing the verbatim letters and public testimony on the RDEIR and the DEIR/SDEIR (Final EIR Appendices A and B, respectively), constitute the Final EIR for the Dunsmuir Heights project in full compliance with CEQA section 15132.

B. RESPONSE TO COMMENTS ON THE DEIR/SDEIR WHICH HAVE BEEN RESUBMITTED DURING RDEIR PUBLIC REVIEW PERIOD

During the December 30, 1990-to-March 5, 1991 RDEIR public review period, some individuals and community organizations resubmitted verbatim the same comments made during the 1988-1989 DEIR/SDEIR public review period. Numbered letters 272, 273, 275, 276, and 277 are resubmittals of letters submitted in 1989 in response to the 1988-1989 DEIR/SDEIR. The responses of the EIR authors to these resubmitted letters are provided below.

1. Letter 272. Scott Sommerfeld; March 15, 1989

This 1989 letter commented on the adequacy of the 1988 DEIR description of project relationships to various City Planned Unit Development criteria (grading, visual, tree removal, and noise impacts).

Response. Written responses to the comments in this resubmitted letter are provided in section V of this Final EIR. These responses indicate where any warranted revisions have been incorporated in the January 1991 Revised Draft EIR in response to these comments on the DEIR/SDEIR. An index to each environmental point raised in this 1989 letter, and to the associated written responses in section V, is provided in section IV of this Final EIR (see the comment code/response code breakdown in section IV for letter 272).

2. Letter 273. Ed Carlsen; March 16, 1989

This 1989 letter commented on the inadequacy of the 1988 DEIR with respect to geotechnical and grading issues, including slope stability, fill stability, fill materials suitability,

related impacts on Sheffield Village, and the need for a more comprehensive soils engineering and geological analysis in the EIR.

Response. Written responses to the comments in this resubmitted 1989 letter are provided in section V of this Final EIR. The responses indicate where any warranted revisions have been incorporated in the January 1991 Revised Draft EIR in response to these comments on the DEIR/SDEIR. An index to each environmental point raised in this 1989 letter, and to the associated written responses in section V, is provided in section IV of this Final EIR (see the comment code/response code breakdown in section IV for letter 273).

3. Letter 275. Dean Nelson; April 9, 1989

This 1989 letter commented on the inadequacy of the 1988 DEIR with respect to geotechnical issues (use of the USGS regional slope instability map, other landslide information issues, the need for additional landslide study, related mitigation monitoring questions, etc.).

Response. Written responses to the comments in this resubmitted 1989 letter, and to the associated written responses in section V of this Final EIR, are provided in section IV of this Final EIR (see the comment code/response code breakdown in section IV for letter 275).

4. Letter 276. Arleen Carlson; April 9, 1989

This 1989 letter also commented on the adequacy of the 1988 DEIR with respect to geotechnical issues, including the issue of serpentine soils.

Response. Written responses to the comments in this resubmitted 1989 letter are provided in section V of this Final EIR. The responses indicate where warranted revisions have been incorporated into the January 1991 Revised Draft EIR in response to these comments. An index to each environmental point raised in this 1989 letter, and to the associated written responses in section V, is provided in section IV of this Final EIR (see the comment code/response code breakdown in section IV for letter 276).

5. Letter 277. Kenneth D. Pimentel, Dunsmuir Ridge Alliance; February 25, 1991¹

In February of 1989, the Sheffield Village Homeowners Association and the Chabot Park Highlands Association submitted a joint document to the City, dated February 27, 1989, which included a compilation of written comments prepared by individual members of, and professional consultants to, both organizations pertaining to the adequacy of the 1988-1989 DEIR/SDEIR. Approximately 35 letters were included in this 251-page Sheffield Village-Chabot Park Highlands submittal. This package of letters, together with a new cover letter, was resubmitted verbatim on February 25, 1991 by Kenneth D. Pimentel on behalf of the Dunsmuir Ridge Alliance (Sheffield Village Homeowners Association, Chabot Park Highlands Association, et al.). The cover letter includes a general statement that the 1989 letters are being resubmitted "because we have determined that many of our original comments were not addressed in the Revised Draft EIR."

Response. The January 1991 Revised Draft EIR includes numerous clarifications as well as a substantial amount of new information to provide an adequate response to those 1989 comments on the Draft EIR which have been resubmitted under this February 25, 1991 cover letter.

The resubmitted 251-page package of comments from the Dunsmuir Ridge Alliance is identical to the package submitted to the City by the Sheffield Village and Chabot Park Highlands neighborhood organizations on February 27, 1989 in response to the earlier Draft EIR. Rather than submitting selected letters and comments from the earlier, two-year-old 251-page comment document in response to the revised and additional information in the January 1991 Revised Draft EIR, the resubmitted package includes a verbatim reproduction of all introductory sections, summary sections, index sections, and letters and memoranda submitted on February 27, 1989 (Comments on Draft Environmental Impact Report for the Proposed Dunsmuir Heights Subdivision, Chabot Park Highlands Association, Sheffield Village Homeowners Association, February 27, 1989).

As explained in the Revised DEIR errata pages 3 and 4 (see section II of this Final EIR), the January 1991 Revised Draft EIR released on December 31, 1990

¹The actual date on the cover letter is February 25, 1990; the City received the packaged letters on February 25, 1991.

incorporated changes in response to the public comments received on the December 1988 DEIR and the February 1989 SDEIR [including the comments resubmitted with letter #277]. Because the Revised DEIR document contained significant new information, the City of Oakland has determined pursuant to CEQA Section 21092.1 that the January 1991 Revised Draft EIR (RDEIR) should supersede the December 1988 DEIR and February 1989 SDEIR, and that a new process of notification and public review should be completed for the RDEIR before certifying the Final Environmental Impact Report (FEIR).

The CEQA-stipulated normal public review period of a Draft EIR (or Revised Draft EIR) which has been submitted to the State Clearinghouse for review is 45 days (CEQA Guidelines Section 15106). The public was allowed an extended 61-day period to review the Revised Draft EIR, which was considered by the City to represent a reasonable time in which to identify any significant points raised in response to the Draft EIR which may not have been adequately responded to in the Revised Draft EIR.

Nevertheless, the following summary response to the resubmitted 1989 DEIR/SDEIR comments package from the Dunsmuir Ridge Alliance is provided. The response indicates how all substantive environmental points raised in the two-year-old package of responses are adequately responded to in this Final EIR.

Summary of Priority Concerns and RDEIR Responses:

The 1988-1989 DEIR/SDEIR was reviewed by several members of the Chabot Park Highlands Association, the Sheffield Village Homeowners Association, and by professional consultants retained by the two neighborhood groups. The written results of this review were compiled in the form of the 251-page comment package originally submitted on February 27, 1990, and resubmitted verbatim on February 25, 1991. The Dunsmuir Ridge Alliance comments package includes an "Executive Summary" which "delineates key issues of concern in assessing the impact of the proposed project." An explanation of how the Final EIR (i.e., the Revised Draft EIR and the Responses to Comments herein) responds to each of these identified "Key Issues of Concern" is provided below:

Proposed Project Site. *The 1988 DEIR characterization of the project site is misleading and contains inaccuracies. The 1988 DEIR depicts the site as having*

marginal biotic value and implies that the site is little more than a vacant lot which would be greatly increased in value by the development. In fact, the project is an integral part of a continuous regional ecosystem which supports an active wildlife community, including possibly the Alameda Striped Racer, a rare or endangered species. The riparian community directly north of the site supports salamander spring breeding and provides water to an active community of mammals and birds. The developer's refusal to recognize the area as a valuable part of the ridgeline open space system and a vibrant wildlife area prevents competent analysis of alternatives or mitigation actions from being included in the EIR.

The proposed project size and scope for this site is neither logical nor practical. The site is virtually isolated by surrounding steep slopes, making safe access difficult if not impossible. Many of the slopes are potentially unstable, and significant portions of the project site, including the access road, rest on an active fault. The data presented in the DEIR regarding fault location and activity requires further investigation (two firms brought in to conduct fault hazard investigation over the past 15 years have presented contradictory findings). The degree of grading (one million cubic yards over 85 acres), plus the required cut and fill, will permanently destroy Dunsmuir Ridge.

Response. All identified DEIR inaccuracies with respect to the description of the project site have been corrected in the RDEIR. Project relationships and impacts on the local and regional open space system are adequately described in RDEIR section IV.A (pages 133, 134, 136, 137, 138, 141, 142, 143, and 144). Project impacts on hillside and ridgeline visual values, including its effects on important surrounding vantage points in Oakland, San Leandro, and Anthony Chabot Regional Park are adequately discussed in RDEIR section IV.B (pages 173 through 212). Project impacts on local and regional vegetative and wildlife values are adequately described in RDEIR section IV.H (pages 415 through 446). Project impacts on the striped racer (whipsnake) are adequately described on RDEIR pages 415, 424, 425, 430, and 432. Project impacts on onsite riparian values and associated mitigation needs are adequately addressed on RDEIR pages 421, 422, 430, 440, 441, 442, and 443.

An adequate analysis of numerous alternatives to the proposed project, and their comparative effects in mitigating project open space, vegetation and wildlife,

visual, and other environmental impacts is provided on pages 501 through 527 of the RDEIR.

The implications of project slope steepness and slope stability characteristics for project access are adequately discussed on RDEIR pages 229-231, 263-264, 297-298, 302-306, 308, 311-315, 473, 476-478, 481, and 483-489.

The potential impacts of the active Hayward fault on the project access road are adequately discussed on RDEIR 302, 303, 309, and 310. Please also see responses herein to Environmental Points G.41 through G.59.

Project grading impacts are adequately described on RDEIR pages 297 through 302, 305-309, and 311-316.

Environmental Destruction. *The access road is the biggest source of this destruction. All four canyons in the front face of the ridge are to be filled. The DEIR contains an improper and inadequate discussion of the effects of the road on normal drainage patterns and surface run-off, and defines virtually no realistic mitigation measures.*

Ingress and egress have not been planned to adequately account for the steep access road grade (15 and 17 percent) or the occurrence of a disruptive natural disaster such as an earthquake.

The access road grade does not meet city recommended roadway design standards for collector roads. Given the steep terrain throughout the area, it does not seem possible to select another route without severely impacting existing residential neighborhoods or the Lake Chabot Municipal Golf Course.

As many as 2,600 trees will be cut and removed during project construction. Additional oaks will be lost after the project is completed due to disturbed drainage patterns. None of this is addressed in the DEIR.

The proposed project borders on and significantly impacts valuable riparian communities. Yet there is no evidence that the State DFG or the US Army Corps of Engineers were consulted as required under existing law.

The DEIR contains many contradictions or inaccuracies related to landscaping mitigation (i.e., the architect states the slopes will be irrigated and the geotechnical consultant states that irrigation will be minimized; and the geotechnical consultant indicates that subdrains will be required, while the vegetation and wildlife consultant states that drainage water should not be channelized).

Response. Access road grading needs and impacts are adequately described on RDEIR pages 297 and 298, 302, 304 through 306, 308, 471 through 474, 477, and 485. Realistic, feasible, and adequate measures to mitigate access road grading impacts are adequately identified and discussed on RDEIR pages 311 through 315, 480, 481, and 482. The DEIR recommends construction of a realigned hillside access road using a single roadway configuration with crib walls in order to substantially reduce necessary roadway gradients, total acres disturbed, total grading volume, and total tree removal; see Table 38 on page 485 for a summary comparison of identified mitigation choices.

The effects of the access road on normal drainage patterns and surface runoff are adequately described in RDEIR section IV.E (Drainage and Water Quality), particularly on pages 320 through 328. Adequate mitigations are identified on RDEIR pages 330 through 334.

Various additional project access road impact factors, and those RDEIR sections which adequately address these impacts are listed below:

<u>Issue</u>	<u>RDEIR Page References</u>	
	<u>Impact</u>	<u>Mitigations</u>
Access road grades	230	263
Disruptive natural disasters		
Landslides	297-298, 304-306	311-313
Earthquake, fault rupture	302-303	309
Relationship to city roadway design standards	230	263
Alternative roadway designs and associated impacts	482-489	489
Direct tree removal impacts	428-430	436

The RDEIR biologist's scope of work included consultation with the State Department of Fish and Game, particularly with regard to project riparian impacts and mitigation needs (see the references to those contacts on RDEIR pages 426 and 549). Please also see the responses to Environmental Points K.1 and K.16 in section V.K of this FEIR. Regarding tree losses due to changed drainage patterns, please see response to Environmental Point K.11 in section V.K of this FEIR. Regarding possible contradictions and inaccuracies related to landscaping and geotechnical mitigations (i.e., irrigation and subdrain recommendations versus the need to avoid drainage channelization, etc.), these concerns are addressed on RDEIR pages 306 (item 6) and 312 through 313 (item 6).

Density. *The planned project density will far exceed surrounding neighborhoods: 507 units on 66 acres = 7.7 units/acre, as compared to Chabot Park Highlands which has approximately one home per acre, and Sheffield Village which is non-clustered and has 4.4 units per acre. The effects of this high density are severely compounded (rather than mitigated as claimed by the developer) by the fact that the project calls for dense clustering, 186 six-plex units, and 64 eight-plex units, massive grading, cut-and-fill, and little landscaping.*

Response. Project density characteristics and associated relationships to surrounding neighborhoods, including Sheffield Village and Chabot Park Highlands, are adequately described on RDEIR pages 138 and 139. The description includes a discussion of the effects of clustering and describes the perceived project density excluding the proposed 66-acre permanent open space area.

General Plan Issues. *The DEIR does not indicate the nature of the project under consideration. The nature of the "proposed action" is crucial to understanding of the project and to CEQA adequacy. The lack of such information is irresponsible and "a glaring hole" in the DEIR. The proposed project is described in the DEIR as a "scheme" which is apparently open to critique, modification, and revision until the city is comfortable with it. The vagueness of the proposed project and the absence of a description of the required actions associated with the general plan processes identified in the DEIR (general plan amendment, rezoning, subdivision approval) give the impression that these required actions are being waived for this particular developer, or*

have been completed and approved by the city without proper public notification or comment.

The DEIR refers to the need for a general plan amendment, even though the inside front cover (Table 1) states that no general plan amendment is proposed. The DEIR cannot be used by the city for approving either a general plan amendment, rezoning, or subdivision. If a general plan amendment is required, "the DEIR must be evaluated against all elements of the Oakland Comprehensive Plan."

The DEIR refers to existing zoning and indicates the proponents desire to pursue a Planned Unit Development. None of the requirements for a PUD application have apparently been submitted or evaluated in proper and open manner. Therefore, the DEIR cannot be used to consider a rezoning from R-30 to PUD.

The word subdivision is in the title of the DEIR cover. The DEIR contains neither the required Tentative Map nor other materials required for a properly submitted subdivision application. Therefore, the DEIR cannot be used to consider a subdivision.

Response. As stated on page 1, the RDEIR has been specifically formulated to provide the necessary environmental documentation for the proposed Dunsmuir Heights residential development plan, and all local, state and federal approvals, entitlements, and permits that may be required for the development of the proposed residential community. In response to this and similar comments, the RDEIR includes a substantially revised and expanded discussion of all aspects of the proposed action, including all onsite and offsite project aspects, and all required onsite and offsite jurisdictional approvals, including all necessary general plan amendment, rezoning, and subdivision approval actions. Please see RDEIR pages 1, 66 through 72, and 114 through 123 (especially Table 4). Project relationships to pertinent City general plan, and Planned Unit Development criteria are adequately described on RDEIR pages 148 through 160 and 162 through 167.

As explained on RDEIR page 2, the EIR is intended to serve as the required environmental documentation for City use in consideration of the proposed development plan, associated Planned Unit Development (PUD) Permit application, General Plan Amendment application, Major Subdivision application,

and Development Agreement, as well as any other subsequent City actions and approvals necessary to implement the project.

On February 14, 1989, the applicant submitted an application for a PUD Permit (Case No. PUD 89-53) with a preliminary development plan dated January 30, 1989. The RDEIR addresses the environmental consequences of this "February 1989" development plan. The applicant has also applied for a General Plan Amendment to modify Map 6, the 1985 *Trafficways map*, to delete the general plan designated collector street connecting Golf Links Road to Foothill Way, as generally portrayed on that official map.

Under City Environmental Review Guidelines, the EIR need not contain the required Tentative Map or other required subdivision application materials in order to adequately address the environmental consequences of the project.

Summary and Conclusion. *The DEIR is woefully inadequate and fails to meet the very minimal standards of CEQA. The DEIR has been in preparation for over two years and has been rejected by the City Planning Department several times. Despite these earlier rewrites, the DEIR "remains tragically incomplete and wretchedly inadequate." CEQA requires that an EIR address both the direct impacts of the project and its cumulative effects. The DEIR fails to recognize such cumulative effects or minimize their impact without proper analysis. CEQA also requires meaningful assessment of reasonable alternatives in order to minimize negative impacts on the environment. The Goleta decision requires that EIRs must identify alternative sites if significant impacts are identified. The DEIR does not do this. Instead, alternatives are treated in summary fashion and readily dismissed as being unimportant. Such treatment prevents careful and objective consideration of alternatives that might benefit the community-at-large rather than just the developer.*

Residents insist that the city adhere to the full CEQA process with no shortcuts and with full public disclosure.

Response. The direct impacts of the project are adequately addressed in section IV of the RDEIR. The RDEIR also adequately addresses the cumulative impacts of the project (please see RDEIR pages 536 and 537 for reference to the various cumulative impact discussion throughout the RDEIR. The RDEIR also includes an

adequate discussion of Alternatives to the proposed action on pages 499 through 527, and on pages 482 through 498. The discussion of alternatives includes a discussion of possible alternative project sites (see pages 515 through 525).

Also, please see responses in section V.T of this Final EIR to Environmental Points T.9, T.10, T.12, and T.14 regarding overall RDEIR adequacy and compliance with CEQA.

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